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## House of Representatives

The House was not in session today. Its next meeting will be held on Wednesday, June 24, 2020, at 2 p.m.

## Senate

TUESDAY, JUNE 23, 2020

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. GRASSLEY).

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

O, God, our shield, look with favor upon our Senators today. Guide them around the obstacles that hinder their progress, uniting them for the common good of this great land.

Lord, free them from anxiety and fear as they put their trust in You. Enable them to go from strength to strength, fulfilling Your purpose for their lives in this generation. Guide them to use their abilities and talents to accomplish Your holy will. Striving to please You, help them to stand for right and leave the consequences to You.

We pray in Your Holy Name. Amen.

### PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

The PRESIDING OFFICER (Mrs. HYDE-SMITH). The Senator from Iowa.

Mr. GRASSLEY. Madam President, I ask unanimous consent to speak for 1 minute in morning business.

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

### THE JUSTICE ACT

Mr. GRASSLEY. Madam President, we are taking a very important vote tomorrow on a bill called the JUSTICE Act. I am proud to cosponsor this police reform bill, and I also applaud Senator TIM SCOTT for his leadership in improving police accountability while at the same time preserving the essential service that law enforcement provides. These are the people who maintain the peace in the respective communities around the United States.

We are ready to work with Democrats on police reform. I hope the Democrats finally are willing to come to the table.

A successful vote to proceed to the JUSTICE Act speaks volumes. A vote against proceeding shows the American people that politics are more important than people, talking points more important than change, and gridlock more important than solutions.

Surely, Democrats want police reform. I hope Democrats will vote in favor of opening debate on the JUSTICE Act. George Floyd and countless others so murdered deserve the Senate's action and consideration of this bill.

I yield the floor.

### RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

### PROTESTS

Mr. MCCONNELL. Madam President, 2 weeks ago, I argued that civil discourse in America faces a crossroads.

A major newspaper had buckled under pressure from the social media mob. They apologized profusely for publishing a policy argument from a U.S. Senator and made personnel changes to prove their penitence. I said that we could either recommit to our tradition of seasoned debate or let an angry mob run our culture.

Recent days have reminded us that it is not just our present-day debates that far-left radicals want to overwhelm. They also want to rewrite the past.

Back in 2017, when people wondered whether our important conversations over Confederate monuments would give the far left a broader taste for pulling down statues, major newspapers and media figures literally mocked that concern. They said there were obvious differences between rebel generals and our Nation's Founders. They said nobody would come gunning for Washington or Jefferson. Well, the far left missed the memo.

A few days ago, in Portland, OR, a mob graffitied a statue of our first President, pulled it down, and burned an American flag over his head. This is George Washington.

Another Washington statue was defaced in Baltimore. A statue of Thomas Jefferson was ripped down in Portland also. This is the general and first President who built our Nation and the author of the Declaration of Independence—genius statesmen who helped begin this grand experiment that has

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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brought freedom to hundreds of millions and saved the world a few times for good measure.

Yet, a crazy fringe is treating their monuments like vanity statues of tin-horn tyrants. Our Founding Fathers are being roped to the ground like they were Saddam Hussein.

The list goes on: Saint Junipero Serra, the missionary settler whom Pope Francis celebrated here in Washington a few years ago to bipartisan applause, sided with native people over soldiers; Ulysses S. Grant, the general who crushed the Confederacy, the President who used Federal force to fight the Klan. They, too, have been placed on the historical hit list for this new Red Guard that nobody elected. There are more monuments toppled up and down the west coast.

There could be no clearer sign that these far-left radicals have severed any connection to the righteous cause of racial justice. They have literally tried to succeed where Robert E. Lee failed and bring General Grant to the ground.

Like any cultural revolution, this far-left anger is sparing some heroes of their own. I understand that in Seattle, a large statue of Vladimir Lenin stands quite untouched. Apparently, people claim with a straight face that this Communist statue has survived because it is located—wait for it—on private property. So the Founding Father of the mass-murdering Soviet Union watches over Seattle streets, but our own Founding Fathers are dragged in the dirt.

A small slice of our national elite has spent years cooking up highfalutin theories to justify the cheapest, basest forms of anti-Americanism. The absurd claim that America's deepest founding principle is bigotry has escaped the ivory tower and begun seeping into society.

The United States of America can and should have nuanced conversations about our complex past. We can and should have discussions about our future. We can and should have peaceful protests. But this lawlessness serves none of that. It is just an alliance of convenience between angry criminals who think it is fun to wreak havoc and a slice of elite society that profits off saying that our country is evil and deserves the abuse. Enough. Enough.

The vast majority of Americans know full well that imperfect heroes are still heroes, that our imperfect Union is still the greatest Nation in world history. Americans know that our imperfect Framers built our Nation on moral truths that fueled improvement beyond anything their generation could have built themselves. The American people know this. They also know that we cannot let angry mobs carrying ropes act outside the rule of law.

It was central to the 14th Amendment and the civil rights movement that law enforcement and local authorities may not do their jobs selectively. If "equal protection of the

laws" means anything, it means mayors and Governors cannot selectively stand down because they would rather not pay the political price for confronting a particular mob. But that is precisely what we are seeing in Democratic-governed cities all across our country.

In Seattle, for weeks now, a mayor has let bands of people ban police from several square blocks. People have been shot. A teenager has died. But, apparently, stopping this insanity has been deemed less politically correct than letting it continue. Night after night, Governors and mayors have stood down and watched criminals spray paint churches and topple statues. Public order is now totally optional and depends on the lawbreaker's politics.

Here in Washington, last night, local police protected one monument from a memorial-hunting mob over near the White House. It is past time for that courage to be replicated in every city, every night, until Americans have the peace and the rule of law that all of our citizens deserve.

It is no surprise that people who want to say our country is intrinsically evil are so frantic to erase history that they will break the law to do it. Erasing history is the only way their claims could carry any water.

Americans know that an imperfect nation built by imperfect heroes is still the most perfect Union the world has ever seen. We are proud to build statues of the geniuses who fought to found this country. We are proud to build statues to the leaders who have preserved it. We are proud to build statues of prophetic civil rights leaders who made the country confront gross injustice. We thank God that all kinds of imperfect people have made us a more perfect Union.

When the dust settles, it is never—never—the mobs or bullies whom we honor. It is the brave leaders who confront them.

#### THE JUSTICE ACT

Mr. McCONNELL. Madam President, on a totally different matter, last week, Senator SCOTT of South Carolina and a group of our colleagues rolled out the JUSTICE Act—a serious set of proposals to move the ball for police reform across the country.

This legislation identifies a number of smart levers that Congress can pull to advance and encourage smart reforms of law enforcement without steamrolling States' and localities' constitutional powers.

It would step up transparency in reporting and recordkeeping. It would expand accountability and disciplinary measures needed to establish and restore community trust. It would directly address issues, such as choke holds and no-knock warrants, which have been in the news lately for reasons that nobody believes are acceptable.

These are the subjects that the country needs us to address. Accordingly, these are the subjects Senator SCOTT's proposal does address.

The American people expect us to do our jobs, discuss, debate, and legislate on this subject that has captured the Nation's attention—discussion, debate, and votes on amendments.

Tomorrow, we will find out whether even these modest steps are a bridge too far for our colleagues on the Democratic side.

Earlier this month, Senate Democrats were telling everyone who would listen that we would be derelict in our duty if we did not have police reform legislation on the floor of the Senate this month. But then, as soon as the junior Senator from South Carolina actually published something concrete, their tune changed rather sharply.

Now, suddenly, our Democratic colleagues are reportedly agonizing and debating whether to let the Senate have this discussion at all or whether to kill any chance of reform legislation before it can even taxi onto the runway.

The American people deserve better than a partisan stalemate. The American people deserve for the Senate to take up this issue at this time.

Senate Republicans want to have this discussion. We are ready to make a law, not just make a point.

Tomorrow, we will find out whether our Democratic colleagues share our ambition or whether they choose to duck the issue and leave the country in the lurch.

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#### RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

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#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

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#### EXECUTIVE SESSION

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#### EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to resume consideration of the following nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Cory T. Wilson, of Mississippi, to be United States Circuit Judge for the Fifth Circuit.

Mr. McCONNELL. Madam President, 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. SCHUMER. Madam 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 MINORITY LEADER

The Democratic leader is recognized.

Mr. SCHUMER. Madam President, I ask unanimous consent that I speak for 10 minutes, the Senator from New Jersey for 10 minutes, and then the Senator from California for 10 minutes.

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

#### JUSTICE IN POLICING ACT

Mr. SCHUMER. Madam President, the past few months have been amongst the most wrenching and tumultuous in recent memory. The deaths of George Floyd, Breonna Taylor, Ahmaud Arbery, as well as from the COVID-19 pandemic, have forced our country to reckon with not only the decades of long failure to reform our police departments and prevent unwarranted brutality against Black Americans but also the centuries-long struggle against racial injustice.

Here in Congress, the Democrats have sought to turn the anger and frustration in our country—and, yes, sometimes despair—into real and meaningful action. The Democrats wish to seize the moment. Three weeks ago, the Democrats announced a bill that would finally bring strong, comprehensive, and lasting change to police departments across America—the Justice in Policing Act, led by Senators BOOKER and HARRIS. The House of Representatives will pass that bill this week, but here in the Senate, we have a much different story.

Senate Republicans have responded to our comprehensive legislation by proposing a bill that is so much weaker on nearly every single count and, worse still, is completely silent on so many issues that scream out for action. Should police officers be held to greater account if they violate Americans' constitutional rights? The Republican bill is silent. Should police departments continue to have easy access to military-grade equipment? The Republican bill is silent. Should police departments be forced to change their behavior when it comes to racial profiling? Should they develop a better use of force standard? Should the Justice Department be empowered and encouraged to investigate police departments that have bad patterns and practices? Silent. Silent. Silent.

In the place of real change and accountability for police officers and departments, the Republican bill proposes a slew of studies and commissions. We don't need to study the problem of police misconduct and violence—we need to solve it. No doubt, these issues are complex, multifaceted, and difficult, but the Republican legislation pretends as if the cancer of police brutality is, in reality, little more than a runny nose.

The national conversation about policing reform, which has been ongoing for several years, was renewed by the terrible killing of George Floyd—his windpipe crushed by an officer who

kept his knee on Floyd's neck for nearly 9 minutes. The bill my Republican friends have drafted would not even completely ban the type of brutal tactics that led to George Floyd's death. The Republican bill does not even fully prevent the kind of tactics that sparked this whole debate in the first place.

Breonna Taylor, a first responder, was asleep in her bed in Louisville, KY, when she was killed by police who were executing a no-knock warrant. The Republican bill does not ban no-knock warrants. It does not limit no-knock warrants or require police departments to provide more information before obtaining them from a court. It calls for more data on the use of no-knock warrants. After the tragic loss of Breonna Taylor, how could the Republican bill not even attempt to prevent the kind of events that led to her death?

Imagine if President Johnson, after the bus boycotts and the march in Selma and the righteous movement for civil rights in America, had proposed a bill that had called for more data on the effectiveness of poll taxes and other voter intimidation techniques. Imagine if President Johnson, instead of the Voting Rights Act, had proposed a voting rights commission to have studied the issue a little bit more.

There is no escaping the fact that the Senate Republicans have drafted a policing bill that is deeply, fundamentally, and irrevocably flawed, and the Democrats are not the only ones to say so.

In this morning's Washington Post, the Floyd family lawyer, Reverend Sharpston, and the NAACP Legal Defense and Educational Fund urged Senators to oppose the GOP reform bill. They called it a nonstarter. That is what we believe as well.

Last night, the NAACP Legal Defense and Educational Fund said that it "cannot support legislation that does not embody a strong accountability framework for police officers and other law enforcement who engage in misconduct."

The lawyer for the families of George Floyd and Breonna Taylor, Ben Crump—one of the Nation's most renowned civil rights attorneys—wrote that the Republican legislation is "in direct contrast to the demands of the people" who have been protesting, and "the Black community is tired of the lip service, and shocked that the [Republican proposal] can be thought of as legislation." That is from the lawyer for the families of Breonna Taylor and George Floyd.

Let me repeat: The attorney representing the families who are seeking justice believe the Republican bill is completely inadequate, lip service, and can hardly be thought of as legislation. How does Leader MCCONNELL respond to that charge? How does he respond when the families' lawyer says his bill is a nonstarter?

Civil rights groups—the noble guardians of these issues for generations

that want nothing more than to see meaningful legislation—are urging the Senate to reject the Republican proposal. They see this bill for the futile and, maybe, cynical ploy that it is. Their opposition speaks louder than almost any other.

Who does America believe when it comes to dealing with these issues—Leader MCCONNELL, who seems to be new to these issues, or the civil rights groups, which have been fighting for change for decades? Who does America believe?

We Democrats are certain the McConnell plan will not—indeed, cannot—result in any passing of legislation. It is clear the Republican bill, as is, will not get 60 votes. There is overwhelming opposition to the bill in our caucus, and because the bill needs such large-scale and fundamental change, there is no conceivable way that a series of amendments strong enough to cure the defects in the bill could garner 60 votes either. So no bill will pass as a result of this ploy by Senator MCCONNELL. The Republican majority has given the Senate a bad bill and proposed no credible way to sufficiently improve it.

Simply put, Leader MCCONNELL has created a cul-de-sac from which no legislation can emerge. Leader MCCONNELL's plan appears to be designed to get the burden of dealing with policing reform off the Republicans' shoulders by setting up a process which is guaranteed not to result in successful legislation.

Again, Leader MCCONNELL is leading the Senate into a cul-de-sac—a process designed to fail. Yet there is a way out of this cul-de-sac. Yes, there is a way out. It is the same process that has led to success in the Senate time and again. It is a simple word—"bipartisanship."

This morning, Senators BOOKER, HARRIS, and I are sending a letter to Leader MCCONNELL, stressing the need for bipartisan talks to get a constructive starting point on policing reform. If our two parties could get together to draft a bipartisan proposal—and even if we don't agree on everything, we can agree to invoke a real amendment process—then we might produce a bill that has a real shot of passing. If the Republican leader would acknowledge the obvious need for these talks, there is a real chance we could produce legislation that has a shot of passing.

So we are pleading with Leader MCCONNELL: Instead of pressing forward with this partisan bill that is designed to make sure no bill passes, Leader MCCONNELL, pursue a path that is designed to produce real, meaningful policing reform.

In the Senate, where 60 votes are required to achieve almost anything, a bipartisan process is the only way to move forward.

My friends, this could be a moment for the Senate to rise to the occasion. There is certainly something happening out there in America. Hundreds

of thousands of protesters of every faith and color and age have taken to the streets to demand change.

If Americans out in the country can together join in a righteous chorus calling for change, we in the Senate can at least try to come to deliver it, but it is going to take more than typical games here in the Senate that Leader McCONNELL seems to be now playing.

We are going to have to rise above the take-it-or-leave-it legislating that has trapped us in the status quo on so many issues.

We were able to negotiate a \$3 trillion emergency aid package before bringing it to the floor of the Senate. We have done it on budgets and criminal justice reform, on the Great American Outdoors Act. A bipartisan group put together an immigration bill that passed the Senate with more than two-thirds votes on a very contentious issue because it was bipartisan.

So on even thorny issues like police reform, we can—we can and we must—work with each other, and we need to, in order to achieve a bill that can actually pass the Senate.

So let me repeat my request to Leader McCONNELL: Let us not retreat to partisan corners on such a vital issue. Let us appeal to the higher instincts of this Chamber and try to find a bill together.

I yield to the Senator from New Jersey.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. BOOKER. Madam President, I thank you for the recognition, and I thank the Democratic leader for his words.

The Democratic leader talked about what is happening in our country. I have never seen something like this before in all my years, where hundreds of thousands of Americans have been out in protest—and not just certain sectors. In all 50 States, in large cities and small towns, Americans from every background, race, religion, and political party have joined together following the gruesome capture of the torture and murder of a fellow American.

This is a profound moment. It is a moral moment. We know this is not a partisan moment because the good will of all Americans is evident, from national polling that shows that real reform is widely supported by people of both parties to just the voices of people who are saying that we are a nation formed around a fundamental idea of life, liberty, and the pursuit of happiness, to have it so fundamentally violated. The call is for us to act, to come together as good men and women and do something to protect human lives.

We have done that before on the Federal level in a bipartisan way, coming together to protect people against indiscriminate violence—from the Violence Against Women Act to even the historic, bipartisan work that went on to get 99 Members of this body behind an anti-lynching bill.

I am grateful for that aspect of our history, that this is a body that has acted multiple times to try and protect human life.

Well, no one need watch a video of 8 minutes and 46 seconds again to understand that this body now holds a true moral choice of how will we act. What will we do in this moral moment in our country? Will we come together and protect life and liberty or will we do nothing and allow the violence to happen, the cycle in our Nation, the name after name after name after name that we know and the thousands of other names that we do not know—Black lives being abused, civil rights being violated, lives being lost because we have failed the moment in our Nation?

A little over 2 weeks ago, Leader SCHUMER, Senator HARRIS, and I, along with colleagues in the House, introduced an act that was narrowly focused on accountability. It zeroed in on what we could do to create accountability, to ensure oversight, to implement transparency, and to ban actions that people in this country, in both parties, widely believe should and must be banned.

The bill that is being put forth by Leader McCONNELL is wholly unacceptable to bring accountability, transparency, and consequences when our common values as a country are violated. This is not about partisanship—a Republican bill and a Democratic bill. It is about taking meaningful action that will create change.

The bill Leader McCONNELL wants to put on the floor is called the JUSTICE Act. It belies its name because it does not—in any way—even serve as a starting point or even a baseline for negotiations.

The American people are not in the streets chanting “We want more data; we want more data.” The American people are not in the streets chanting “Give us a commission; give us a commission.”

We know the data, and we have had commissions—from the Kerner Report all the way to the Task Force on 21st Century Policing. What we are hearing a demand for, from voices all over our country—including from leaders in police departments to mayors, to local leaders, to activists—is real accountability; that if you do something wrong in America, there will be consequences; that no one is above the law; that we, in this country, will make sure that those who represent law and enforcement do so in a way that accords with our common values and our common ideals.

In fact, we want to go further in this country. We have a greater moral imagination that does not have us trapped in the quicksand of the present but calls to us to rise to a higher ground; that we could be a nation that imagines ourselves having a larger definition of law enforcement, a larger definition of public safety. We cannot get mired in this moment. This must be the start of climbing to that higher ground.

The problem with the bill that Leader McCONNELL wants to put on the floor, it is not bold. It is not courageous. There is no great imagination about what we can be. It doesn't challenge us to come together. What it does is guarantee that the cycle of violence in our country, the cycle of the abuse of civil rights, the cycle of death that has so moved so many Americans will continue.

If we don't implement real measures of accountability for police officers in this country—as the Republican bill fails to do—it is not if but when we will be back here again after another police officer kills another unarmed Black person and faces no fear of Federal accountability in the courts.

If we don't establish real transparency measures with a national registry of police misconduct—which Leader McCONNELL's bill fails to do—it is not if but when we will be back here again, after another officer who has a record of inappropriate use of force will get fired from one town and hired in the next and end up hurting another citizen, violating their civil rights or—worse—killing them.

If we do not end those harmful practices that Americans from all backgrounds know are wrong, like racial and religious profiling, no-knock warrants in drug cases, and the use of choke holds—which this McConnell bill fails to do—it is not if but when we will be back here again after another Breonna Taylor is murdered in her own home after a no-knock warrant, after another Eric Garner is suffocated to death on a sidewalk with an inhumane choke hold.

If we do not create a national use-of-force standard in America—which this Republican bill, again, fails to do—we will be back here again the next time another officer uses deadly force when they could have used deescalation because that deadly force was “reasonable,” though not necessary.

I hear the voices. We all hear the voices, the anguish, the agony, the pain, the trauma, the hurt. It has triggered a nation to rise up like has never happened in the last 50 years.

We are in a moment of profound possibility, but what do we face? We face it being shut down here in the Senate over an impotent bill that fails to meet this moment.

The American people are demanding accountability, not commissions; they are demanding accountability, not study; they are demanding accountability, not data collection alone. We have to ask ourselves: Will we stand for a bill with zero accountability or will we rise?

I am so frustrated because I have been here now for 6 years, and I have seen, from inside this body as a Member to even before I came here, how the leader has done bipartisan efforts. I saw it on immigration reform. A Gang of 8 was formed, discussions were had, and they came to a bill. They put it on the floor, and they voted for it.

I have seen it in this COVID crisis. People met and worked on solutions.

I have seen, time and again, when there is a sincere desire to come to a bipartisan consensus, how it works. But this is not how Leader McCONNELL is acting now.

Where is the good faith? Where is the yearning for justice? Where is the desire to get something real done?

There have been no hearings. He has called for no discussions. He has called for no meaningful engagement—in the way we have done in the past—from stakeholders and groups that have been working on this issue. He has not sent it to the appropriate committee of jurisdiction.

This is not what the American people want. This is not what this moment calls for. This is shameful. This is a desire to turn a page, to point a finger of blame, and to leave the calls for justice in this country falling upon the mute ears, the deaf ears, of a body that should be hearing, listening, and responding.

There is no easy fix for the problems we face, but they do demand work. They don't demand simple monologues; they demand real dialogue. This is not a time to retreat into our corners. It is a time to engage each other.

I cannot, in any way, give any justice or sanction to what is going on in this body now. We will be back here again. We will see more video capturing the dark corners of our country that must be brought into the light and solved with the spirit of this Nation.

I join CHUCK SCHUMER and KAMALA HARRIS in urging Majority Leader McCONNELL not to proceed in this way. It is not progress. It is an attempt to turn a page on history that we will have to revisit. Every minute, every hour, every day we do not act, Black lives are in danger; our fellow citizens are in danger; we as a Nation, our principles and ideals are in danger.

It is time that we come together and provide hope from this body that serves, truly serves, to honor what the public is calling for, which is action—not retreat but for us to try, in this body, to rise together.

I yield to my colleague from California.

The PRESIDING OFFICER. The Senator from California.

Ms. HARRIS. Madam President, the murders of George Floyd, Breonna Taylor, and Rayshard Brooks are the latest in a long history of violence against Black people in America, but thanks to the advocacy, thanks to the courage of their mothers and fathers and relatives and all of the civil rights leaders, the lawyers, those who are marching in the streets—and smartphones—everyone can finally bear witness to the violence that has been happening in our country at the hands of police.

Now, let's be clear. This behavior is not new. Mothers have been crying over their dead children's bodies for generations, yet no one would listen. No one would listen.

Emmett Till's mother had the courage, as a leader, to say: The world will listen when they look at my baby's body in that casket. Yet here we are, these many decades and generations later, and still we have not seen meaningful change in America on this subject.

It is time we act. It is time we act. And let us be clear: Sometimes some of the most courageous and important work that has happened in this U.S. Congress has happened not because there was leadership in the body but because the people demanded it and they would not relent until their government and elected leaders and representatives listened to and answered their call for steps toward what we call a more perfect Union.

It has been many a time the case that it is because of the people marching in the streets that we had the Voting Rights Act and Civil Rights Act and the Fair Housing Act—because the people would allow nothing less than that we, as a government, be true to our stated ideals.

Yes, over the last 3½ years in our country, many of us have wondered whether the leaders of this country actually pay homage to and have any desire to institute and to get closer to those ideals.

This is a moment for the U.S. Senate to say we, as a body, will do that; that what is clear right now in this moment and in this movement is that there is still work that can be done—not just should be done but can be done—to come closer to those words inscribed across the street in the U.S. Supreme Court, to effectuate "Equal Justice Under Law." It is within our grasp to do this. It is not just an imperative; it is within our grasp. In America today, people from every State, all 50 States, and in every walk of life are demanding that we take the problem of police brutality seriously. We have this opportunity, and we should see it as such. Where before there may have been reluctance to go against the strength of the status quo, which is always reluctant, if not hostile, to change, the people in the streets of every race, every gender, every age, from every State, are not only giving us permission but demanding that their leaders finally make good on the American promise of "Equal Justice Under Law." They are demanding this change; they are not just asking for it.

So we can't answer the people's demand for accountability with watered-down politics and watered-down policies and obstructionist tactics to distract us from what we clearly know is necessary to meet the calls and the cries of this moment and this movement. I will say that we cannot answer their demands with this Republican attempt to obstruct real progress and real justice in our country.

And for all of the pundits out there who want to entertain a conversation about whether Democrats actually want police reform, are you kidding

me? Are you kidding me? We are responding to the cries in the street; we are taking them seriously; and we have proposed a prescription that actually responds to not just their demands but the specific cases and the bodies which have just most recently been buried, much less the generations of Black bodies which have been buried because of this issue. So don't anyone dare suggest we are standing in the way of progress.

Let us all be clear about what is happening in the politics of this moment. The Republican bill has been thrown out to give lip service to an issue with nothing substantial in it that would actually save or would have saved any of those lives. Let's not be distracted from the task at hand. I intend to vote against a motion to proceed tomorrow. I also intend to vote for a motion to proceed with real reform. I am not against a motion to proceed. We should proceed. Let's proceed with action—not gestures—with action.

Let's talk about the Republican bill. I am a former prosecutor. I have personally prosecuted everything from low-level offenses to homicides. I worked almost my entire career with police officers. What I can tell you is this—and I am certain of it—police officers will tell you how difficult their job becomes when their colleagues and other police officers break the rules and break the law. They will tell you that. They will tell you that it affects the culture of their working environment. It affects the morale of where they work every day. It affects the integrity of their work. What they know is bad cops are bad for good cops.

What we all know is that it is in the best interest of community safety and harmony when the people trust their government, and it is a reciprocal relationship.

In addition to what our bill proposes, the Justice in Policing Act is about accountability and consequence. It is also brought forward with a spirit of what we know is in the best interest of growing trust and the American people's trust in their government.

As a former prosecutor, I will also say that in the criminal justice system, we also talk about and use this phrase "accountability and consequence." We use it all the time, accountability and consequence. There must be accountability and consequence. Almost every time that phrase is invoked, it is directed at the person who was arrested and hardly ever is that phrase directed at the very system itself and the actors in that system.

Where is the accountability and consequence when a system fails the people it is designed to protect? Where is the accountability and consequence when people who have been invested by the people with a gun and a badge—it is the power we give them—where is the accountability and consequence when they abuse that power, one must ask. Our bill is designed to address just

that. I will tell you, there is not one component of the Republican bill that does the same.

Let's talk about the history of where we are today—just recent history, meaning in the U.S. Senate on this subject. On Monday June 9, in response to protests in all 50 States of these United States, Senator CORY BOOKER and I, along with our CBC and House Judiciary colleagues and a majority of our Senate caucus, announced the Justice in Policing Act. Over 1 week later, the people are marching in the streets. Let's just remember this. People are marching in the streets every night, every day. Well, 1 week later, somebody got the memo, and then what did they do? They came up with what they call the JUSTICE Act as a way to essentially show that they have something but to basically obstruct what already had been put in place. They did it because they knew that the people were demanding something. What they put up, instead of meeting those demands, was a tactic to obstruct the progress of the Justice in Policing Act.

Then they are playing a political game around here saying: "Look, the Democrats won't vote for policing reform." No. We are actually fully prepared to vote for policing reform, which is why a week earlier than you figured it out, we figured it out and put it on paper and presented it to the Nation.

Let's not play political games today and tomorrow. Let us understand that Senator MCCONNELL, the majority leader, made it clear—you know, I say to the Senator from New Jersey, Mr. BOOKER, I wasn't here for those days when he saw a lot of that bipartisan work. I did see it with other COVID bills, and I am thankful that did happen, but what I see most recently on this issue is that Senator MCCONNELL made it clear that he had no intention of passing bipartisan comprehensive legislation on policing reform. What we have seen is that instead of an ability for all of us in this Chamber to pass the Justice in Policing Act—which has already gained 227 cosponsors, enough to pass the House—instead, the Senate leader has scheduled this vote tomorrow, not to solve the problem of police brutality in America but to solve his political problem, to which he has taken no stand and that caucus has taken no meaningful stand on an issue that has people in our streets marching for the last 3 weeks, and those marching folks will go on.

The proposal was carefully crafted that is being offered tomorrow for a vote. The Republican proposal was carefully crafted to deflect from real change by merely, as my colleague Senator BOOKER outlined and Senator SCHUMER outlined—by merely offering to study the problem without doing anything to solve it.

Mr. CORNYN. Madam President, would the Senator yield for a question?

Ms. HARRIS. When I am finished, I will.

The Republican bill does not even provide a baseline for a discussion or amendment on police reform in that there are no mechanisms to hold law enforcement officers accountable in court for their misconduct. There is no transparency into police misconduct, which is necessary, of course, to enable communities to hold officers accountable. There is no requirement of data collection on all use-of-force incidents or on racial or religious profiling. There is no ban on harmful policing policies and practices, such as racial and religious profiling and no-knock warrants in drug cases. We are not banning all no-knock warrants in drug cases because Breonna Taylor would be alive today had that been the case. There is no reform to the issues of choke holds or carotid holds in the Republican bill that is being offered. There is no national standard for use of force.

I am happy to entertain the question from the Senator from Texas. Then I will conclude my comments.

The PRESIDING OFFICER (Mrs. LOEFFLER). The Senator from Texas.

Mr. CORNYN. Madam President, I wonder if the Senator would tell me, the JUSTICE Act that it sounds like the Democratic conference intends to block tomorrow includes the anti-lynching legislation that you and Senator BOOKER have championed; are you aware of that?

Ms. HARRIS. The same one RAND PAUL obstructed a couple of weeks ago? Yes, I am aware of that.

Mr. CORNYN. Madam President, so the Senators are going to block their own anti-lynching bill by their vote tomorrow.

Ms. HARRIS. Absolutely not. I think it is important we not distract the American people from the task at hand.

We cannot pull out a specific component of this bill and leave everything else in the garbage bin. That is the logical and actual and practical conclusion of where you are going with the suggestion that we would sacrifice issues like no-knock warrants, issues like a national standard for use of force, issues like the need for independent investigations of police misconduct, issues like pattern and practice investigations with subpoena power for the Department of Justice for the sake of one. It is like asking a mother to save one of her children and leave the others.

Mr. CORNYN. Would the Senator yield for another question?

Ms. HARRIS. Absolutely.

Mr. CORNYN. Madam President, the Senator certainly is familiar with the rules of the Senate, which allow Senators to offer amendments to improve legislation once we get on it, but if the Democratic conference is going to prevent the Senate from actually getting on the bill, there is no opportunity for any Senator, you or any one of us, to offer amendments to improve it.

I would further ask the Senator, aren't you aware of the fact that there

are 60-vote thresholds on the back end so that if we get on the bill and you don't like the way it turns out, you can block it on the back end; is the Senator aware of those options you have?

Ms. HARRIS. Senator CORNYN, we are honored to serve on the Senate Judiciary Committee, as does Senator BOOKER and Senator DURBIN. We all serve on the Judiciary Committee. The two Senate officers serve with you on the Senate Judiciary Committee. As you know, because we have been present during our most recent hearings, we have asked that there would be a meaningful discussion of the Justice in Policing Act in that committee. None has occurred.

If we are going to talk about process, let us look at all the tools that are available to well-intentioned, well-meaning legislators, if the goal is actually to solve and address the issue at hand. I have seen no evidence of that. I have seen no evidence. In fact, what I have seen in reading some of the newspapers—sometimes they get things wrong, but if they got it right, the Senate leader says that he has no interest in engaging in that kind of discussion or debate before putting the bill on the floor for a vote tomorrow.

Mr. CORNYN. Madam President, may I ask one last question?

Will the Senator yield?

What I am trying to fathom is why the Senator would rather have these negotiations occur behind closed doors as opposed to here on the floor of the Senate with the American people to see broadcast on television? Don't you think that sort of interaction and debate and negotiation out in front of all 330 million Americans would be beneficial to healing our country and coming to some consensus about what the appropriate reforms should be?

Ms. HARRIS. Indeed. That is the beauty of the Judiciary Committee; our meetings are public meetings.

I will conclude my remarks by saying that I do believe now is the time for Congress to pass legislation that will bring real change and real improvement. It is time that we meet this moment and meet the movement that we are seeing outside of these doors. We are seeing people of every race, gender, age, and religion marching together in unison as Americans. We are seeing people putting their bodies on the line in the face of more excessive force and tear gas to stand for equality for all people.

The bill that is being offered for a vote tomorrow does not, in any way, meet the needs of this moment and the longstanding needs America has had for reform.

I will, therefore, join Senators SCHUMER and BOOKER in not only sending a letter to Senator MCCONNELL this morning demanding the Senate vote on the Justice in Policing Act, but I will say I fully intend to vote against a motion to proceed until and unless we are, as a body, prepared to offer meaningful reforms upon which we can debate.

I will say also that one of the other problems with what is being offered by our colleagues across the aisle is it is not meeting the moment in terms of need for reform. It is simply, basically, they constructed a confessional, where there can be a confession of misdeeds after the fact, and that in no way meets the moment in terms of reforms that are necessary.

In the immortal words of my great Uncle Sherman, God rest his soul, "That dog don't hunt."

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. First, I want to thank my colleagues, Senators BOOKER and HARRIS. Thanks for your leadership and courage and the fact that have dedicated yourself to this moment.

Some would say we are fortunate; others would say we are blessed to be at this moment in this place in the roles that we currently have. Can you imagine across the United States of America how many people would like to be standing where we are standing today? Despite the frustration, we have a voice. We have an opportunity. We, as U.S. Senators, have the power, if we use it, to do something about what threatens America.

Imagine how 8 minutes 46 seconds could have such profound impact on this Nation of over 300 million people and the world, but then to realize that 8 minutes 46 seconds merely reminded us of all of the other issues, all of the other cases, all of the other George Floyds who came before.

I have just been stunned in my own home State of Illinois—which I dearly love and know fairly well—by what I have seen in the streets of towns large and small. In the city of Chicago, just this last Juneteenth weekend, there was an amazing display of unity on Black Lives Matter. The African-American ministers led it, but all the rest of us were happy to be part of it because it meant so much.

Then you go downstate Illinois to towns like our capital city, Springfield, or Jerseyville, IL, and attend Black Lives Matter rallies there that were organized by two young women, African-American high school juniors. They organized 1,500 people in Springfield for a Black Lives Matter rally.

Nykeyla Henderson and her twin sister Nykia Henderson said: Let's call together students and friends about Black Lives Matter. Fifteen hundred people showed up. No windows were broken, no looting, no screaming, no shouting, no cursing. It was a textbook display of constitutional authority that each of us as a citizen has, and they used it so well. I salute them even to this day.

Then, to go down to Jerseyville, a small rural community that I have represented over the years—which may or may not have a minority population at all—and to have, from 20 miles away, a high school junior, a young African-American woman whose name is Laylahny Davis, who did exactly the

same thing: She called together hundreds of people—in this case, some 350 on the courthouse lawn in Jerseyville—to celebrate Black Lives Matter.

I have never seen anything like this. I have never seen it reach this level of commitment. Trust me, these young women were doing this, knowing that some of the people standing on the perimeter were not their friends, but they had the courage to be there because they believed in what they were doing.

Do we have the courage at this moment to speak up for real change? How many times in the history of this country can Senators come to the floor and say that it is within our grasp? We can make America better, and we can perfect this great Nation to even be greater with courage.

What I hear from my colleagues—Senators HARRIS and BOOKER—I could not agree with more. I am going to vote against this motion to proceed tomorrow. I believe, as they do, that we as a Senate can do better. We can do better in the Senate Judiciary Committee, which throughout generations has been the place to go, the forum to visit, the last stop, if you will, on the most important issues of our day—the Senate Judiciary Committee—time and again.

I have been blessed to serve there for over two decades, and I look back on the history of that body before I arrived, and I think to myself: DURBIN, you are a lucky man to be on the Senate Judiciary Committee of the U.S. Senate, particularly at this moment. This is not only our issue; this is our moment in the Senate Judiciary Committee and on the floor of the U.S. Senate. That is why Senator MCCONNELL's tactic is so empty and so obvious.

We understand how the Senate works. If you have been here 5 minutes, you know. He is the majority leader. He calls the shots. He decides what is coming to the floor, which amendments will be offered, which will not be offered, which bills will move forward, and which bills will stop. It is his power to do it. It is a very powerful position.

Instead of saying to us: Start in the Senate Judiciary Committee, find a bipartisan measure to bring to the floor, and then let's work together to have meaningful amendments but to have it, in fact, enacted—instead of that, he said: Take our bill or leave it. If you don't want to vote for the Republican bill on this subject, go home and defend your vote. I am prepared to and I think my colleagues are too.

Listen to what the National Association for the Advancement of Colored People Legal Defense Fund said about this bill today. This organization is an incredible organization, and if you don't know much about it, read "Devil in the Grove," a story of Thurgood Marshall in the late 1940s and 1950s, risking his life defending African Americans who were facing criminal charges across the United States.

The NAACP Legal Defense Fund said: "In this moment, we cannot support legislation that does not embody a strong accountability framework for police officers and other law enforcement who engage in misconduct as well as needed reforms to policing practices."

The group wrote in a letter, a copy of which was sent to Members of the Senate, and they went on to say: "We urge you to vote no on the motion to proceed with consideration of the JUSTICE Act"—which is the Republican bill—"and instead advance reforms that will hold law enforcement accountable and offer more transparency of policing practices such as those embodied in S. 3912, the Justice in Policing Act of 2020"—a bill which I am honored to cosponsor with my friends, Senators BOOKER and HARRIS.

This morning I sat down and decided to read in detail the analysis of these two bills. It is night and day in terms of the direction they take. Something as fundamental as choke holds—does America know what a choke hold is? We saw it and will never forget it. We saw that knee on George Floyd's neck, and we watched the minutes pass by and his life ebb away. Can we be anything less than resolute on the issue of choke holds? Our bill is. It bans them. It bans them. The restriction of blood or oxygen or the carotid artery—we are specific; we are specific. Sadly, the Republican bill is not.

We also defined "deadly force" and what is less than "lethal force." We specifically defined it. What does the Republican bill do? It calls on the Attorney General of the United States to develop a policy—to develop a policy—Attorney General William Barr.

On no-knock—I thank Senator HARRIS for raising that—we have direct legal limits on the use of no-knock, which was, in fact, the procedure followed that led to the death of Breonna Taylor in Louisville, KY. What does the Republican bill have? A reporting requirement—a reporting requirement.

Body cameras? We require them. We put penalties in the law for those who don't use them. We also require that they be on vehicles, law enforcement vehicles. The Republican bill does not require them. It offers grants to police departments that want to buy them and then asks from those departments "assurances" that they are using them.

On the misconduct registry, we establish public access to the misconduct registry when it comes to police misconduct. But there is no public access in the Republican bill.

Yes, it is true, as was noted earlier by the Senator from Texas, there is commonality on issues like anti-lynching—thank goodness—a mere century after we started debating it in the U.S. Senate. We have reached that point, and I am glad we have.

When it comes to training, data, and demographics, there are many areas of commonality, but there are specific areas that this bill—the one we have



introduced—includes that are not included in the Republican bill: Criminal liability under the Civil Rights Act—we changed the standard to make it truly an attainable standard on the Democratic bill; qualified immunity; civil rights investigations; the power of subpoena, which we give to the Department of Justice; the use-of-force investigation; grants for independent investigation; and—this is a measure I have worked on for a while and am so glad it is included here—banning racial profiling once and for all.

I want to salute a former colleague from Wisconsin, Russ Feingold. He was one of the earliest on this whole issue of profiling, a courageous position on his part at that moment in history. Finally, we include it in our bill.

It is not included in the Republican bill. Instead, what they offer are commissions, data collection, and a couple of other criminal offenses, each of which is worthy of consideration but should not be enough to divert us from our goal.

I am going to conclude by saying this. I feel blessed to be here in the U.S. Senate at this moment in history. I feel fortunate to have a chance, with my colleagues on both sides of the aisle, to change the history of this country in the right direction. My goodness, it is so long overdue. After all of the 400 years of slavery, when it first came to our shore, and the greed and racism that fed it as that insidious original sin of our country, now is our chance to do something in our generation to make a difference for those future generations that march in the street and look to us for real change.

I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii is recognized.

Ms. HIRONO. Madam President, I share the strong words and position and perspective of my wonderful colleagues, colleagues who spoke before me just now—Senators HARRIS, BOOKER, and DURBIN—calling for real policing reform, not the bill that is coming before the floor tomorrow.

#### THE EQUALITY ACT

Madam President, this morning I would like to turn to another issue that should concern all of us and that deserves our attention. On December 17, 1990, Genora Dancel and Ninia Baehr walked into the Hawaii Department of Health in Honolulu to apply for a marriage license.

They had met earlier that year in a Honolulu parking lot and felt an immediate connection. Their first date lasted for 9 hours. They eventually fell in love and got engaged, despite knowing that the law prohibited their marriage.

They faced a choice: Give up their dream of getting married or take their fight to court to demand that they be treated equally. Although, up to that point, Ms. Dancel had led a private life and her family was unaware of her sexual orientation, for her the choice was clear. She later recalled: “I had been

discriminated against and was living as a second-class citizen. All of that, emotionally, came to mind. For me it was a no-brainer decision. This was something I had to fight for, and I had to do my part.”

The courts in Hawaii agreed with Ms. Dancel and Ms. Baehr. On May 5, 1993, the Hawaii Supreme Court issued a historic decision that changed the course of the LGBTQ rights movement. It ruled that denying same-sex couples the right to marry violates the equal protection clause of the Hawaii constitution unless the State could prove a compelling State interest.

This ruling sparked a chain reaction that eventually resulted in the U.S. Supreme Court’s 2015 decision in *Obergefell v. Hodges*, which affirmed the right of same-sex couples to marry. It was a hard-won victory for the LGBTQ community in its long fight for equality.

In July 2017, the Trump administration sought to undermine this victory for equality. It intervened in a court case to argue that LGBTQ individuals are not protected from employment discrimination based on their sexual orientation. This position directly contradicted the position of the Equal Employment Opportunity Commission, which had made clear in 2015 that discrimination based on sexual orientation was illegal.

Last Monday, the Supreme Court rejected the Trump administration’s efforts and held that the Federal civil rights statute prohibiting employment discrimination—title VII—does protect LGBTQ individuals. While the decision was another major victory for equality, the fight is far from over.

The Trump administration has not only sought to undo protections for LGBTQ individuals before the court, but Donald Trump and Senator MCCONNELL have also been busy working to undermine LGBTQ equality through the judges—the judges whom this Senate confirms—themselves.

Over the past 3 years, Donald Trump and Senator MCCONNELL have been busy packing the court with judges who have demonstrated hostility toward the rights of LGBTQ individuals. In fact, so far, about 40 percent—40 percent—of Trump’s circuit court judges have anti-LGBTQ records, and another one, Cory Wilson, is set to be confirmed this week. As a State legislator, Wilson voted for a bill that would allow businesses and people to deny services to LGBTQ individuals. The Human Rights Campaign called that bill “the worst anti-LGBTQ state law in the U.S.”

Another example: Recently confirmed to the Ninth Circuit, Trump Judge Lawrence VanDyke previously claimed that “same-sex marriage will hurt families, and consequently children and society.” His actions have reflected these views. He has opposed same-sex marriages and supported businesses that discriminate against same-sex couples.

Similarly, Trump Judge Stephen Menashi in the Second Circuit and

Trump Judge Andrew Brasher, Eleventh Circuit, have argued for the right of businesses to discriminate against LGBTQ individuals.

With the Federal courts stacked with Trump judges like these, it is critical that Congress act now to fully enshrine equality and protections for LGBTQ individuals into law.

The Supreme Court has now made clear that employers cannot discriminate against LGBTQ people in the workplace. But other legal protections against discrimination, such as in healthcare, education, housing, and financial credit, are at risk of being eroded by the Trump administration and Trump judges.

In fact, the Trump administration is doing just that. Just 2 weeks ago, it finalized a rule that eliminated nondiscrimination protections under Federal law for LGBTQ people receiving healthcare and obtaining health insurance.

Last month, the Trump administration issued a letter ruling that title IX requires schools to ban transgender students from participating in school sports based on their gender identity. In 2002, Congress renamed title IX in honor of my friend, Congresswoman Patsy T. Mink. Patsy was a champion for gender equality and nondiscrimination and would certainly be appalled by the Trump administration’s interpretation of title IX.

The Trump administration has already banned most transgender people from serving in the military. It has rescinded protections for transgender students that allowed them to use bathrooms corresponding with their gender identity.

The Trump administration’s attacks against LGBTQ equality make it all the more urgent that Congress needs to make explicit that Federal law protects against discrimination based on sexual orientation and gender identity.

More than a year ago, the House did that by passing the Equality Act with bipartisan support. The Equality Act would prevent the Trump administration from exploiting any ambiguity in the law by adding clarifications in existing civil rights laws to make explicit that sexual orientation and gender identity are prohibited bases for discrimination. This includes the Civil Rights Act of 1964, the Fair Housing Act, the Equal Credit Opportunity Act, the Jury Selection and Services Act, and other civil rights statutes.

The Equality Act would also amend the Civil Rights Act of 1964 to prohibit discrimination in public places and services and federally funded programs on the basis of sex, including sexual orientation and gender identity.

In addition, the Equality Act would update the types of public spaces and services covered under current law to expressly include stores, shopping centers, online retailers, banks, and places that provide legal services, transportation services, and other types of services.



The Equality Act is a critical safeguard against an administration determined to erode the rights of LGBTQ people. The Senate must do its job and pass the Equality Act without delay.

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

The PRESIDING OFFICER (Mr. CRUZ). Without objection, it is so ordered.

Mr. CORNYN. Mr. President, I ask unanimous consent that I be allowed to complete my remarks before we recess for the lunch hour.

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

#### THE JUSTICE ACT

Mr. CORNYN. Mr. President, over the last several weeks, Americans have marched, protested, and demanded justice not just for George Floyd but for Breonna Taylor and a long list of individuals who, unfortunately, had been killed while in police custody. While the energy behind this movement is not new, the problems that created it are also not new. We know that the racial injustices that have existed for generations and that originated during our country's founding have created a whole range of problems that have continued to persist in our society—in everything from education, to healthcare, to housing.

While I hope and expect we will have ongoing discussions about the most effective way to root out these inequalities and provide equal justice, which is our Nation's mantra and aspiration, one of the most important places to begin delivering these reforms is in our police departments.

Across America, we have about 18,000 Federal, State, county, and local law enforcement agencies. Some of these agencies have one officer, and some have as many as 30,000. It is safe to say that a one-size-fits-all approach would not work for all of them. The policies and practices that make sense for the Houston Police Department, for example, are going to look a lot different than those of a small town out in West Texas.

Yet there are basic practices and principles—best practices—that should be standard across the board, and they are something that Congress can help with. There are steps we can take to make our police forces more transparent, more accountable, and better trained so as to, hopefully, avoid encounters like we saw with George Floyd and the Minneapolis Police Department. While there are differences of opinion on the best way to deliver those changes, the good news—and there actually is good news—is that both Republicans and Democrats share this overarching goal. That is a strong start.

A couple of weeks ago, our Democratic colleagues introduced their version of a police reform bill, and, last week, the Republicans introduced ours. While our colleagues on the other side of the aisle seem interested in focusing on the differences, the truth is there is a whole lot in common, a whole lot of overlap.

First are the changes in policing practices. As I mentioned, a one-size-fits-all approach isn't the right method, but in some areas, there is a clear need for uniformity. One great example is training. Many police departments already require deescalation training and give them an array of tactics to cool down a potentially dangerous encounter. Both Republicans and Democrats agree this should be the standard, and it is included in both bills. On the flip side, there are certain practices that should never be used, like choke holds. That is already the case in most major police departments—they ban choke holds. This bill ends that across the board.

Reforming police practices is only part of the equation. In order to restore the broken trust between law enforcement and our communities, we need accountability, and these two bills take similar steps there too. They include a focus on diversity hiring so that police forces look a lot more like the communities they serve. They improve hiring practices so that departments can move to effectively weed out weak or bad candidates and ensure that we have the best possible talent among our men and women in blue.

Both of these bills take steps to better educate officers on racial bias and the systemic challenges that face communities of color. They take steps to promote transparency and to give the public greater access to information about America's law enforcement activities.

Both bills require public reporting on use of force and require better information on how law enforcement agencies are being run. They both prioritize relationship building between law enforcement and the communities they serve.

While there are some differences in the methods of achieving these shared goals, that doesn't change the fact that we largely agree on the problems that exist, and that alone is not insignificant.

Two weeks ago, Senator SCHUMER, the Democratic leader, called on Leader MCCONNELL to bring a police reform bill to the floor before July 4, and, tomorrow, we will do exactly what Senator SCHUMER requested. Now I hear that our colleagues on the other side of the aisle aren't interested in passing the JUSTICE Act as is, and I get that, but I have also been surprised by reports that suggest they may just block us from proceeding to the bill altogether, which, obviously, is not conducive to our passing any police reform bill.

Speaker PELOSI has made comments that I view as encouraging. She said

she is interested in going to conference between the House and the Senate on a police reform bill. It is clear that our colleagues in the House are willing to work with us to come up with a consensus bill, but that means the ball is now in the Senate Democrats' court.

The way I see it, they have two options. One is to work with us on a bipartisan basis. If the Democrats vote tomorrow to begin debating the JUSTICE Act, we can spend time looking at all of the areas in which we have overlapping goals and nail down specific solutions, and we can do what the Senate was built to do, which is to be a forum for debate, for offering amendments, and for voting on those amendments, which would, hopefully, improve the product. If we are going to be successful in getting a bill to the President's desk and delivering on the reforms we are after, we have to get on the bill tomorrow.

Option No. 2 is for the Democrats to do nothing—to tell the American people, even though they have said for weeks that they are desperate for action, that they themselves are the ones preventing that action. I think the choice is pretty obvious, and I can't imagine it is not obvious to our Democratic colleagues. These past several weeks have shone a light on the problems that exist within some of our police departments, and we have an opportunity to work together and show the American people we are capable of working together to try to address this national priority. We can officially begin this process with a simple "yes" vote here on the floor tomorrow.

My simple request to our Democratic colleagues is to, please, please, work with us. Let's debate the bill and continue to try to find common ground, and let's get something we can be proud of on the President's desk that he can sign into law without there being any more delay.

Over the last several weeks, the American people have marched, protested, and demanded action. This week, we have an opportunity to deliver the changes they are requesting and ensure that "Equal Justice Under the Law" is more than just a phrase engraved on the Supreme Court building across the street. I am proud of the work we have been able to do in working with Senator SCOTT, who has led our efforts in the Senate. I thank him and Senator MCCONNELL for their commitment to taking action and for Senator MCCONNELL's willingness to do precisely what Senator SCHUMER requested in getting a police reform bill on the floor of the Senate before July 4.

We will have the opportunity tomorrow to begin debating the JUSTICE Act. I can only hope our Democratic colleagues will make the right decision and commit to working with us to deliver real reforms.

I yield the floor.

## RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:29 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mrs. CAPITO).

## EXECUTIVE CALENDAR—Continued

The PRESIDING OFFICER. The Senator from Mississippi.

## NOMINATION OF CORY T. WILSON

Mrs. HYDE-SMITH. Madam President, it is an honor to speak on behalf of Judge Cory Wilson of Mississippi and in support of his nomination to the Fifth Circuit Court of Appeals.

I have known Judge Wilson for many years. His experience and legal knowledge make him an excellent choice to serve on the appellate court. Numerous colleagues of Judge Wilson's from different backgrounds and political affiliations have risen in support of his nomination and spoken to his personal qualities.

After his impressive nomination hearing and an outpouring of support from Mississippians, who know him best, there is no question that Judge Wilson will be a fair and impartial judge who follows the rule of law. Judge Cory Wilson will serve on the Fifth Circuit with honor, dedication, and distinction.

I am also pleased a judge from Mississippi will mark a historic day as the 200th Federal judge to be confirmed by the U.S. Senate during the Trump administration. Judge Wilson's confirmation represents a pivotal point in the President's work to ensure there are more smart, conservative jurists in the Federal judiciary. Under the leadership of President Trump and Leader McCONNELL, the Senate has prioritized confirming bright, well-qualified men and women who will serve our country for years to come.

I am proud to support Judge Cory Wilson and urge my colleagues to approve his nomination.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

## UNANIMOUS CONSENT REQUEST—S. 4033

Ms. KLOBUCHAR. Madam President, I come to the floor today to urge the Senate to address the threat the coronavirus poses to our elections and to take immediate action to pass my legislation to ensure voters do not have to choose between their right to vote and their own health.

Today is Election Day in Kentucky and in New York and in Virginia. There are runoff elections in North Carolina and in Mississippi, as well. As we speak, voters in the States are experiencing what it is to vote in the middle of a global pandemic. If the past few months are any indication, for many, casting a ballot today will not be safe, and it will not be easy. The coronavirus has caused unprecedented

disruptions in the daily lives of Americans.

In order to protect voters and poll workers, this pandemic has forced us to make changes to how we vote. Sixteen States postponed their Presidential primaries or have transitioned their primaries to almost entirely voting by mail. We have seen Democratic and Republican Governors across the country issue waivers allowing all voters to cast their ballots by mail during the pandemic. This includes States like New Hampshire, with a Republican Governor, and States like Ohio, where they have a Republican Governor who is focused on vote by mail, and States like Maryland, where the Governor has been devoted to vote by mail, and States like Missouri.

While it is important that individual States are taking action to protect voters during this pandemic, we must remember that, in the end, this is a national pandemic. It is not just a pandemic in Vermont or in Utah; it is national.

It is the responsibility of this Nation, of this Nation's government, and of this Congress to ensure that States have the funds they need to make our elections more resilient and to make sure voters don't have to risk their health to cast their ballots.

When we have a national threat or international conflict, we do not expect an individual State to be able to respond. In World War II, when Pearl Harbor was bombed, we didn't say: Oh, Hawaii, you go deal with that yourself.

We, in this Congress, have acknowledged that this pandemic has national consequences in how we responded with the CARES Act and how the House has responded with the Heroes Act, which I hope we will consider very soon in this Congress, and just the fact that, when it comes to voting, this Congress, with bipartisan support—this Senate voted to give over \$400 million originally to the States.

There were some issues with how that money was given out that we are trying to fix, but, nevertheless, it was a downpayment on the fact that even in the beginning of the pandemic, based on what we had seen in Wisconsin, we anticipated that there were going to be problems for voting and that there was going to be a massive change in how our elections were held.

You have States like New York State where only 5 percent of people have voted by mail in the past few Federal elections and States like my own State of Minnesota where, despite having the highest voter turnout in the country, only 25 percent of people on average voted by mail. Now you are seeing switch overs where 50 percent, 60 percent of the people in every single State in the Nation are asking to vote from home or, in the alternative, they are asking for safe voting places by keeping voting places open longer for early voting, by training poll workers so we do not depend on our senior citizens to be staffing the polling locations when

they are the most vulnerable to the coronavirus. This is common sense.

This is why you see Republican Governors and Republican secretaries of state joining Democratic Governors and Democratic secretaries of state all across the Nation to ask for help from Washington.

Today, in Kentucky, New York, and Virginia, election officials are putting more than \$36 million of Federal funding to good use—funding to recruit and train new poll workers, to provide those workers with protective equipment and sanitizing supplies; funding to pay for postage for mail-in ballots, purchase additional equipment, and cover the costs of moving poll locations to accommodate more people. I am proud of having fought to secure that funding.

I appreciate Senator BLUNT, my colleague, who I know is going to be here shortly and is the chair of the Rules Committee, for assisting in making sure that funding was designated, as well as Senator SHELBY, Senator LEAHY, Senator COONS, and so many others who have worked on this important issue.

It is a good first step, but let us remember these are still the primaries in a few States. If you talk to election officials across the country, they will tell you that it wasn't enough and that they desperately need more resources for the general election when so many more people vote. Support from the Federal Government is vital because we have seen States struggle when it comes to administering elections during the pandemic. We also know it is not as if they have a reservoir of funding right now to deal with, which is one of the reasons we want to pass the Heroes Act.

Many of our State and local governments are struggling right now. That is why it is so important to designate funding as we move forward—and I hope we will soon discuss the Heroes Act—to be able to help pay for elections.

Support from the Federal Government is vital because we have seen States struggle when it comes to administering elections. With fewer than 6 months left before the general election, Congress must act now to ensure that States have the resources and funding that they need.

A lot of times you hear: Well, it is only 6 months, so why would we do funding now? Look at the fact that we were able to at least assure the States that the money was going to be out there for them a few months ago for the primaries, and they were able either to spend their own money because they knew that money was coming or to spend designated money. That is how this works.

We are no longer in a normal situation. We are in a situation where States are having to rearrange how they do elections all over the country to make it safe and to allow people to vote from home. We have seen the

chaos and disenfranchisement that will happen if we don't act soon.

The Wisconsin primary will forever be etched in the memory of our Nation. Voters stood for hours in the cold and rain, wearing garbage bags and homemade masks, just to be able to exercise their right to vote. In Milwaukee, there were just five polling locations open instead of the usual 180. Almost 600,000 people live in Milwaukee, including one-third of that State's African-American population. The closure of so many polling places made it even harder for people without easy access to transportation to get to a polling location, and it caused unnecessary crowding, with lines to vote wrapping around blocks. As a result, voters were disenfranchised, and some even contracted the coronavirus. According to local health officials, nearly 70 people in Wisconsin who either voted in person or served as poll workers contracted the virus as a result of that election.

Earlier this month in Georgia, thousands of people went to the polls and were also met with long lines and confusion. Reports from Atlanta indicate voters faced malfunctioning machines, and some voters never received the mail-in ballots they requested. Instead of being able to safely vote from home, many were forced to show up in person on election day. I was particularly struck by the words of Anita Heard, an 80-year-old woman from Atlanta who actually marched with Dr. King. She was the first person in line at her polling location at 6 a.m. waiting to vote this year. Anita called the long lines and waits unfair and ridiculous. She is right.

In Fulton County, one voter, who is a mom, sat on a lawn chair holding her infant son in one hand and umbrella in another. She waited more than 3 hours to vote. She wasn't leaving because it was important to her and her son that one day she would be able to tell him she waited to vote for him.

In America, people should not have to wonder if voting machines will be operational or if they are going to be able to receive their ballot on time to make it count.

Jose Andres—the remarkable chef who helps feed people in areas struck by natural disasters—announced a plan to provide food, water, and resources to help people standing for hours in line on election day. He is doing his part to address this issue, as are so many people across this country, including, as I mentioned, Democratic and Republican secretaries of state and Governors.

I appreciate that Senator BLUNT, the chairman of the Rules Committee, is here. As I said, he worked to help us get that initial funding. Experts have warned that today in Kentucky we may see a repeat of the chaos that we have seen in early primaries. Reports indicate fewer than 200 polling places are open in the entire State, down from the 3,700 in a typical election year. We are glad that Kentucky has voted by mail

and a number of people have voted from home.

I think we also know, just based on what we have seen in these other States—this is just based on facts, not on partisanship—that 200 polling locations in a State of that size will not be enough in the primary and certainly will not be enough in a general election. In order to protect the right to vote, we have to learn from States that are taking steps to make voting safe and easy.

Primary turnout this year has broken records in many States, especially when it comes to voting by mail. States like Nebraska, Iowa, South Dakota, New Mexico, Idaho, West Virginia, and North Dakota have all held successful elections this year by relying heavily on voting by mail. Again, that is in a primary where some of these States have fewer voters—not all of them—because they are smaller population States, and many of them are not dealing with a general election.

In West Virginia, mail-in ballots increased from just 25,000 in 2018 to over 200,000 this year. In Pennsylvania, the number of mail-in ballots cast increased from 80,000 in 2018 to over 1.5 million this year. Voters and election officials across the country in Red States and Blue States are turning to casting a ballot from home.

In addition to the five States that already hold their elections mostly by mail, which are Utah, Oregon, Colorado, Hawaii, and Washington—and I note that those States are not all Blue States, including, particularly, Utah, and Colorado, which is known as a Purple State—three States, including California, Nevada, New Jersey, and also the District of Columbia have decided to send all voters absentee ballots for elections this year. There are 13 States that have decided to send all voters absentee ballot applications.

These decisions weren't made, as I note, on a partisan basis. Both Republican and Democratic officials in States have decided to implement these policies to protect their voters.

I will also note that none of the five States that held their elections primarily by mail this year have had major voter fraud scandals since transitioning to vote by mail. As the New York Times editorial board announced, States who use vote by mail encountered essentially zero fraud.

Oregon, the pioneer in this area, has sent out more than 100 million mail-in ballots since 2000 and has documented only about a dozen cases of proven fraud. Rounded to the seventh decimal point, that is 0.0000001 percent of all votes cast.

We have all seen the President's tweets on this. We know these tweets are meant to hurt our democracy, and people shouldn't fall for it because I just gave you the facts: 0.000001 percent of all votes cast in the States that have been using this forever involved any fraud.

We must set the record straight. I appreciate that Senator ROMNEY recently

noted that nearly everyone, in what he called his very Republican State of Utah, votes by mail, and, in his words, it works very, very well.

Now is the time to reject efforts to undermine our political system and mostly undermining people's attempts to exercise their fundamental right to vote safely. What are you going to tell a veteran who has a preexisting condition, like the guy who wrote me who served in Vietnam and said what is he supposed to do now? We have to allow them to vote from home.

In the midst of this pandemic, we need to make sure no voter has to choose between their health and exercising their right to vote. That is why I am urging my colleagues to support my legislation with Senator RON WYDEN, which is cosponsored by 35 other Senators, the Natural Disaster and Emergency Ballot Act, to help State election officials meet this pandemic head-on.

Our legislation doesn't require us to reinvent how we vote. Instead, our bill would overcome the challenges posed by the coronavirus by expanding existing election practices like voting by mail and early voting. It starts with guaranteeing every American the option to vote by mail. Sixteen States require voters to provide an excuse if they want to cast a ballot by mail. But during the pandemic, 13 of these States are allowing all voters to cast a ballot by mail without needing to provide an excuse—Democratic and Republican Governors and secretaries of states. That is progress.

I would say, while we still have three States that are still denying all voters the option to vote by mail—forcing them to choose between their health and their constitutional right and go through these hoops to do it—why not put a standard in place on the Federal level? That is what our bill does.

Our legislation would also get help to the States. Again, my friend, Senator BLUNT, is here, and I appreciate—while he hasn't put a dollar amount on it, his interest in looking at funding for this beyond this bill, I think, is very helpful.

Our bill called for \$3.6 billion, which is what is in the Heroes Act, of funding to safely administer elections. It would knock down barriers, this bill, to safely vote, like the requirement to have your ballot signed by a witness or a notary. These are requirements that disproportionately hurt minority voters—people without as much money.

There is one story of a person sitting in a hospital room trying to get someone to notarize a primary ballot through a glass window—someone who has coronavirus. Are we really going to require them to do that? Are we really going to do that? That is what you have to ask yourself, colleagues. The bottom line is, it shouldn't be this hard to vote.

I am proud that this bill has been endorsed by more than a dozen organizations, including the group founded by

former First Lady Michelle Obama, including Voto Latino, including the Lawyers' Committee for Civil Rights, the National Urban League, Common Cause, the Leadership Conference for Civil and Human Rights.

As I noted, the CARES Act included funding. It didn't include the standards that I think are necessary but included the funding. That is just the beginning. That was a downpayment—negotiating in the middle of the night. I know that because I was talking to my colleagues back then.

This is the real deal, to be able to help States in the general election. This money was included in the Heroes Act. Public health experts have warned over and over again of the possibility of a new wave of this virus in the fall. We have to be ready. States are having this happen anyway, and we should make sure that they have the funding to do it.

I know we are going to be discussing the National Defense Authorization Act in the next few weeks, at some point. I think about that. Our defense is important, but, remember, this is about the defense of our democracy. The simple idea that this was a democracy; that it is not a dictatorship; that people should be able to go out there and exercise their right to vote no matter how they are going to vote, no matter what party they are going to vote for, and this is the moment—and because of this pandemic, we need to do it.

The last thing I will mention, three polls released in the last couple of months show an overwhelming majority of voters—over 80 percent favor measures to make voting safe and easy. One of the polls conducted in six battleground States showed that 74 percent of voters wanted their Senators to support legislation in Congress to implement voting reforms, including a majority of Republican voters. Think about that. Voters across party lines want Congress to pass legislation that would guarantee the right to vote by mail and provide funding to States and make sure it is safe to vote. That is what this is about.

Again, I thank my colleague, Senator BLUNT, for all he has done and the fact that he was able to work with us when we did negotiate the CARES Act to make sure there was some funding included, as well as I mentioned Senator SHELBY, Senator COONS, Senator LEAHY, and others. Now is the time to prepare for what we have ahead; that is, making sure everyone can vote safely.

Madam President, as in legislative session, I ask unanimous consent that the Rules Committee be discharged from further consideration of S. 4033, the Natural Disaster and Emergency Ballot Act of 2020, and the Senate proceed to its immediate consideration. I further ask that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Is there an objection?

The Senator from Missouri.

Mr. BLUNT. Madam President, reserving the right to object and with great consideration for Senator KLOBUCHAR's dedication on these issues, many of which, as she has pointed out, we have worked together on, and I think we will continue to, I just don't think this is the time to make this kind of fundamental change.

I will admit that at its very first legislation after the 2018 elections, the House passed a bill, but, again, it was a bill that would provide the Federal Government with unprecedented control over elections in this country, despite the fact that for almost 250 years now, the States have been responsible for this particular government responsibility. To quote yet another time, Senator and then-President Obama, in October of 2016, pointed out that the very strength of our system was the diversity of the system. I think one of the strengths of the system is the amount of local responsibility and local answerability, frankly, for how the system works on election day.

Senator KLOBUCHAR pointed out that we are fewer than 6 months until the election. As a matter of fact, in our committee, I intend to hold a hearing next month on the problems we have seen develop with this move toward more people wanting to vote not at the polling place on election day and how some States have dealt with those problems effectively and how others haven't.

I will also say, to follow up on one of Senator KLOBUCHAR's points, I think funding is one thing. Helping the States help themselves is something I think we can still do. We have done a considerable amount of that up until now, since the 2016 elections, with a big commitment in the CARES Act to make money available for States to regulate their elections and be able to afford to do that. I think we can, will, and should take another look at that, but 6 months before an election is a dangerous time to change responsibility.

I think, to be absolutely clear, that at any time, this is a responsibility that is better done at the local level. But when you implement a new voting system with a big first election, that is a problem.

We saw that in Georgia recently. Georgia was complying with the request that both Senator KLOBUCHAR and I and others had made to get a system in place that has an auditable ballot trail—an absolutely worthy goal. Georgia followed up, but even then, it might have been better if they could have followed up on an election that wasn't quite the same high-profile, high-turnout election that their first experience had.

The responsibility for changing the system is hard enough in the best of times. I think the States have had lots of time. My State and other States

have changed their law to allow more access to absentee ballots in some States—and as a matter of fact, not even absentee ballots. I got corrected by that with one of our election officials the other day. Really, now we call them mail-in ballots. In Missouri, up until now, we always called them absentee ballots. Though, one of the absentee excuses had always been “unable to get to the polls because of health.” But in the mail-in ballot ability, in our State, to eliminate, for some ballots because of COVID-19 or health—eliminate the notary requirement, States have done this. They had a lot of time. They had a lot of notice. Most of them dealt with this. More importantly, if it works, they get the credit. If it doesn't work, they don't have anybody else to blame. They are working really hard because of that to make it work.

The House bill was offered the first time in this body not long after it passed. In March of 2000, I objected, again, to the federalization of the election process—not the assistance, not the help but the federalization of the process.

In May of 2020, the House passed yet another bill. I think that is the bill we are talking about today or something like it. This time, it was a bill that Democrats said would assist States with the pandemic. First, we were going to assist States because of ballot security. Now we are going to assist States because of the pandemic.

There has been a real desire at the Federal level to take over the election process again. I don't think that is a good idea. If it was a good idea, it wouldn't be a good idea 6 months before the election.

The provisions in the new bill are about the same as the provisions in the old bill. They would provide the Federal Government with unprecedented control over elections in this country. This bill represents a one-size-fits-all Federal answer to a problem that I think the Federal Government is not the best place to answer.

The estimated money needs of the States are something I am willing to, and think we should, continue to talk about. But funding to accept the new situation they find themselves in is different than centralizing the process.

Instead of providing States with flexibility to deal with emergency situations, for instance, this bill does just the opposite. This bill tells States how to run virtually every aspect of their election. It takes away authority to the States to determine their own process for voter registration. In fact, it requires all States to institute online voter registration at a time when we are more concerned than we used to be about what can happen to elections online.

This bill tells States how many days of early voting they must have and where the early voting locations need to be. It requires that all States accept online absentee ballot requests. You

have online voter registration. Then you have online absentee ballot requests and offers the requirement for no-excuse absentee ballots, which I guess, according to my friend, the election administrator, would be mail ballots. I am going to get better at explaining that phrase. It tells States how and when their ballots must be delivered. It tells them when they have to be counted. It requires States to permit ballot harvesting.

Ballot harvesting is the only thing, I think in a decade, that a candidate elected to the House of Representatives was not seated because the House—this House, the current House of Representatives—decided that ballot harvesting was the reason that person shouldn't be seated; that people went around, collected ballots, apparently decided which ballots they were going to mail in and which ballots they were not going to mail in—if you look at the House determination that this person wasn't lawfully elected. But this bill actually requires States to allow individuals to go and collect ballots and turn them in, in groups rather than some other way.

If States want to do that, they can do that. But apparently, it was not good enough to seat a Member of the House of Representatives from my party. It tells States how they must authenticate their ballots. It prohibits them, however, from using any form of voter identification to authenticate who the person is. It tells States what kind of envelopes they have to use to put their ballots in.

What doesn't it do? It doesn't recognize, again, that for almost 250 years, States have successfully run elections in this country. If the returns were in question, the people who were the local election officials and the State election officials were the people who were questioned. There was no ability to say "Well, that is out of our hands" or "Well, we don't really have anything to say about that. Some person in Washington tells us what we have to do about that."

States have successfully run elections during national disasters. States have successfully run elections during pandemics. States have successfully run elections during wartime.

On March 3, 2020, on Super Tuesday, early that morning, a tornado struck three counties in Tennessee. Election officials were able to use the flexibility they had as State officials to, No. 1, adjust the polling location and, No. 2, move election equipment and carry out the primary election successfully and without challenge. None of that, in my view would have been allowed if this bill had been in effect.

Similarly, in response to the pandemic, many States, as I suggested Missouri has, have changed their law and looked for ways to make this process work. They have had a chance to try—in most cases already in the primary or in some other elections, States have changed their primary dates; they

have expanded absentee balloting; they have expanded early voting; they have altered polling place procedures to ensure cleaning and sanitizing; and they have worked to recruit more workers.

This bill, in my view, doesn't acknowledge the important responsibility and answerability that local and State officials have on election day. That was a job I had for about 20 years, part of that as the chief election official in the State. I will just state that on election day nothing is more important than voters feeling like their vote was cast in the right way and counted in the right way, and there was nobody but me to blame at the county level and then again at the State level if that didn't happen.

So I think my friend Senator KLOBUCHAR's comments are well-intended and well-motivated. I just think we have a fundamental difference on who makes these decisions. I would recommend to all of my colleagues that if we ever make these kinds of changes, we should make them long before 6 months before a Presidential election. If this bill were law, State and local officials would not only lose the flexibility they now have, but they would have a new place to pass the buck.

This is one of the desks that Harry Truman used on the Senate floor, and he didn't have a "pass the buck" symbol yet, but he famously had behind his desk, as President, a sign that said "The buck stops here." On these issues, the buck stops with the person you have chosen locally and statewide to run your elections. I think that continues to be the best course for us to follow.

Madam President, I object.

The PRESIDING OFFICER (Mrs. HYDE-SMITH). Objection is heard.

The Senator from Minnesota.

Ms. KLOBUCHAR. Madam President, I want to thank my colleague for his work and his friendship. We obviously don't agree on every aspect of this. I did enjoy hearing his desk story. I didn't know he had Harry Truman's desk. When I got to the Senate, I asked for the desk of Hubert Humphrey, the "happy warrior," and about 8 months later, the desk arrived, and they had accidentally given me the desk of Gordon Humphrey, the former Senator from New Hampshire, and I had it for quite a while. In a new Senate, I one day opened up the desktop and saw that they had replaced it with the desk of Hubert Humphrey. So I would give these comments in the spirit of the "happy warrior"; that is, while you and I disagree on setting these standards, at this moment I think we should; I think if not now, when?

When it comes to things such as not having notaries for getting a ballot and things like that, I am heartened by the fact that, No. 1, we have a hearing, which has been asked for—I think it is really important, and I appreciate that—on this upcoming election.

No. 2, you continue to be open to discussing with me and with the Appro-

priations Committee the funding as we go into November. I think that is really going to be important for all voters, whether in red, blue, or purple States. We know that so many people vote by mail, including the President of the United States with a ballot from Palm Beach, FL. We all want to have that ability and make sure people in our States have an ability to either vote by mail or vote safely at the polling places this fall.

Thank you very much.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

#### THE JUSTICE ACT

Mr. BARRASSO. Madam President, I come to the floor today on the eve of what should be a routine vote in the U.S. Senate. Tomorrow the Senate is scheduled to vote on a motion to proceed to the justice reform legislation that we ought to be considering in the U.S. Senate.

It is important to point out to the American people what that means. This isn't a vote yet on passage of the bill. It is not a vote to end debate. It is not a vote to amend the debate. Any Senator can amend, vote no, or offer different substitutes for the bill. This isn't any of those things. The motion to proceed is a simple and rather routine agreement to begin debate on a bill. Yet, here we are. It has turned out to be anything but routine.

Senators on the other side of the aisle in this very Chamber are threatening to filibuster the motion to proceed—filibuster even allowing us to debate a bill of great importance to the Nation.

In terms the American public might better recognize, the Democrats are threatening to filibuster the very issue—the very issue—that they claim to care about. If you listen to them on television, if you see them in the streets, talking to groups, they claim to care about it. Welcome to the bizarre world of partisan politics and bankrupt leadership on that side of the aisle.

On the same day that the minority leader will come to the floor to urge the Senate to pass justice reform legislation, he will also attempt to rally his Democratic caucus to block even starting a debate, and they seem to be following him, refusing to even debate an issue which is so key in the minds of the American people. He is telling his Members to filibuster the bill.

Madam President, the JUSTICE Act deserves a debate. It deserves a debate for the American people to see and to hear and to watch on television. The American people deserve that. What they don't deserve is partisan obstruction. What they don't deserve is a filibuster. They need a debate. Amend the bill if necessary and then pass it. We want to try to stop what happened to George Floyd—a murder that we all witnessed—from ever happening again in America.

The American people know that. They took to the streets, and now they

are turning their heads to Washington, to the Capitol, and saying: What can you do to make sure that something like this never happens again?

We have a bill that addresses all of these issues, a bill that is ready to come for a debate. Yet, again, the Democrats are threatening and are likely tomorrow to vote one after another after another to go up and vote no to even beginning debate on the bill.

Incredibly, they began knocking this bill authored by Senator TIM SCOTT of South Carolina with many of us as original cosponsors—they began knocking this bill before they ever read it, before they knew what was in it. They attacked it before it was released. While the bill was still in the process of being written, they were attacking it. Then Senator TIM SCOTT unveiled the legislation, and almost immediately the Democrats decided to agonize over whether to block it. They were agonizing over allowing a debate on the floor of the U.S. Senate—agonizing over a debate. I mean, you could hear them in the halls: I don't know. Should we get on it? Shouldn't we get on it?

What was the issue? Racial justice. We need to be focusing on that and discussing it and passing meaningful legislation that will make measurable progress. It shouldn't be a tough call.

Senator SCHUMER came and said: We should have a bill on the floor by July 4. Here we are; it is before July 4. We brought the bill. It has a 70-percent overlap and agreement with what the House has to offer.

Here we are, yet Senator SCHUMER is telling his Democrats to line up, one by one by one, and say: No, we don't want to debate or even discuss your bill even though it has a 70-percent overlap in agreement with what the House of Representatives is offering as a meaningful solution to a concern that all of us have.

I don't say this often, but Senator SCHUMER ought to listen to NANCY PELOSI because the Speaker knows we are not that far apart. The Pelosi and the Scott bills share many of the same goals—much of the same underlying legislation. Senator SCOTT says that they agree 70 percent of the time on the issues. At one point, Speaker PELOSI said that she would love to go to conference with what we have going on in the Senate. The Wall Street Journal, last Wednesday, published a chart, and it showed just how similar the two bills are—the JUSTICE Act in the Senate and the bill that the House is working on as well.

The Scott bill ensures that both African-American communities and law enforcement communities are protected. This is precisely why the JUSTICE Act can and should become law. Without a doubt, this is our Nation's best chance for change—best chance in 25 years. It is the best chance to put the 1994 Biden crime bill in the rearview mirror. It is a chance to pass meaningful reforms and a chance to make a law that actu-

ally makes a difference—a difference in communities all across the country and in the lives of people all around America.

So Democrats will be asked to vote tomorrow, and they have a choice to make. They can continue to filibuster, to say "No, no, no, we don't even want to get on the bill to debate it" or to offer amendments to improve upon it, to look for common ground. Or they can do what apparently they want to do, which is to continue the status quo, which is not what we need in America today. They ought to be embracing bipartisan reform.

The JUSTICE Act is not—as one Democrat on this very Senate floor sadly described—a token. That is what he said on this Senate floor. This reform bill is serious. This reform bill is significant. This reform bill is substantial, and we should pass it. At a minimum, we should at least debate it on the floor of the U.S. Senate.

Democrats plan to filibuster simply debating the bill. They should be held accountable by the very American people that they claim they are looking to help—claim they are looking to help. Well, they have an opportunity to help all American people when we vote tomorrow.

So I urge my Senate Democratic colleagues: Do not filibuster this historic bill. This is a wonderful opportunity to move our country ahead. We can build on the progress of the last 4 years—opportunity zones, permanent funding for historically Black colleges and universities, the FIRST STEP Act. Let's build on this record. Let's debate it. Let's amend it as we see fit, and then let us pass the JUSTICE Act and send it to the conference committee that Speaker PELOSI talks about, and then send a bill to the President of the United States and have it signed into law and help our country move ahead.

Thank you, Madam President.

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. ALEXANDER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

The Senator from Tennessee.

Mr. ALEXANDER. Madam President, I ask unanimous consent to speak for as much time as I may require.

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

#### PROTESTS

Mr. ALEXANDER. Madam President, the late historian, Arthur Schlesinger, Jr., said this: "Self-righteousness in retrospect is easy—also cheap." The late Samuel Huntington, who was a Harvard professor of U.S. history and politics, wrote, in effect, that most of our politics is about setting great goals for ourselves—we, the American people—and then the struggle we have

with the disappointment we feel when we don't reach those high goals, like "all men are created equal."

Ben Hooks, who was from Memphis and a well-known citizen of our State and a good friend and once president of the NAACP, used to tell his students at the University of Memphis:

Remember that our country, America, is a work in progress. We've come a long way, but we have a long way to go.

It is in light of those three comments that I would like to discuss the effort that some people made last night to tear down President Andrew Jackson's statue in Lafayette Square across from the White House.

I believe it is always appropriate to review the monuments and the places that we name to see if there is a more appropriate name in the context of today's times. For example, in this Capitol, every State has two statues. From Tennessee, it is Andrew Jackson and John Sevier.

Senator BLUNT, who is the chairman of our Rules Committee, tells us that, at any given time, some of those statues are in rotation because the State of Mississippi or Tennessee or Oregon or some other State may have decided, instead of those two individuals, we would like to send up another statue. We would like, in the context of today's times, to name somebody else.

As we think about statues that are already named for generals in the Confederacy or the Union—a war that was fought a long time ago—it is appropriate, I think, to keep in mind that we have had a lot of wars since then: two World Wars, Korea, Vietnam. We have had a lot of very distinguished generals. We have had courageous Congressional Medal of Honor winners. Maybe in the context of today's times, there is a place for Camp MacArthur or Camp Eisenhower or Alvin C. York, who is a Congressional Medal of Honor winner and hero from Tennessee. It is always appropriate to review the places that are named and the monuments we put up to see if there should be a better name or a better place for a monument in the context of today's times.

But what about Andrew Jackson, whose statue is one that the State of Tennessee has sent here, whose statue is of him on a horse outside the White House at Lafayette Square? The similar statue is in Jackson Square in New Orleans. What about Andrew Jackson? Let's make the case for Andrew Jackson.

Presidential historians, almost without exception, put him in the top 10 of America's Presidents. They see him as the sophisticated, often subtle political actor that he really was. What they realize—and, unfortunately, what only dedicated students of the American Presidency often realize—is that Jackson was arguably the most important American President between Thomas Jefferson and Abraham Lincoln because, much like Lincoln, he preserved the Union. If not for Jackson's devotion to the Union against his own local



political interest, the Union might well have fallen apart in 1832 and 1833.

Jackson risked everything to keep our Union together instead of siding with South Carolina's U.S. Senator John Calhoun's doctrine of nullification. When a serious conflict of crisis arose, when South Carolina decided that, following Calhoun's doctrine of nullification, it could decide which Federal laws it could follow, it was Jackson who stood up and said: Our Federal Union must be preserved and Jackson who had the political will and the skill to make sure it was preserved. Jackson's decisions as President gave us an additional three decades to form what Lincoln eventually called "the mystic chords of memory" in his first inaugural address. Surely—surely that is worth recognition.

Andrew Jackson was our first non-aristocratic President. When he was born in 1767, it was not possible or plausible that the young boy, orphaned at 14, could someday rise in an emerging Republic. Jackson wasn't born rich. He wasn't born into privilege. He fought for everything he had, and he rose to our government's highest office through the sheer force of personality and political courage. That is the case for Andrew Jackson.

Let us also recognize that Andrew Jackson was not perfect. In fact, he was at the center of the two original sins of this country: slavery and the treatment of Native Americans. But if we are looking for perfection, we are not likely to find it in American history or the history of almost any country or in human nature.

The historian Jon Meacham, who won a Pulitzer Prize for his biography of Jackson and who wrote a biography of Thomas Jefferson, said that when Jefferson wrote the words, "all men are created equal," he was almost certainly writing about all White men. Those were the context of the times for Thomas Jefferson.

So what do we do about Jefferson if he was writing that all White men are created equal in the context of those times? What do we do about Jefferson, who—the only slaves that he freed, apparently, were those that he fathered with his slave mistress, Sally Hemings? What do we do about George Washington and Mount Vernon and the slaves that he owned? What do we do about Abraham Lincoln, who some people say was slow to act on emancipation? What about Franklin D. Roosevelt and his internment of American citizens who were Japanese in camps during World War II or, more recently, what do we do about Bill Clinton, who signed the Defense of Marriage Act, which would not be in the context of today's times, if two recent Supreme Court decisions are to be followed, as they will be?

Let's not just pick on our Presidents. What are we going to do about the Congress, the Senators, and the Members of the House? They approved the Trail of Tears, Andrew Jackson's removal of

the Cherokees to Oklahoma. The Congress did. And they approved the laws requiring segregation. Congress did. And what about the people who elected the Congress? They approved those Members of Congress who approved of segregation, who approved of the internment of Japanese in camps.

What are we going to do about us, the people of the United States? Do we pretend that we didn't exist during that history, when decisions were made that we would not make today or we would not approve of today, some of which would be abhorrent today? Do we try to burn down all the monuments, burn down Mount Vernon, burn down the Jefferson Memorial, Hyde Park, home of Franklin D. Roosevelt? Do we try to erase all of that from our history? That is not what we should do. We should not try to erase our history. We should not try to pretend it doesn't exist. We shouldn't ignore our history.

Here is what I think we should do. No. 1, as I said earlier, recognize that it is always appropriate to review the places that we have named or the monuments that we put up—just like the monuments of States in here—to see if there is a more appropriate monument or named place that is appropriate in the context of today's times. Remember, as Ben Hooks said: America is a work in progress. It is always changing, and our monuments or the places we name can change with that. That is an appropriate, healthy exercise to go through. That is No. 1.

But, No. 2, with the history that includes things we today abhor, we should try to learn from those things and build a better future. Let me give an example.

Each year, I bring onto the floor of the Senate teachers of American history who have been selected to attend the Academy for Teachers of American History that I helped to create when I first came to the Senate. I thought it was important to learn American history so children can grow up knowing what it means to be an American.

When they come to the floor, they look for the various desks because the desks of the Senate are what best describe them. They will go to find Daniel Webster's desk, which is still there. They will go to the back over there and find the desk that the three Kennedy brothers used, where they sat. The ones from Tennessee will come here because Howard Baker had my desk and so did Fred Thompson, the desk I now have. They are interested in the desks of Senator McCONNELL and Senator SCHUMER because they are the leaders, and they go to Jefferson Davis's desk.

Jefferson Davis was a U.S. Senator who had a great deal to do with the building of this Capitol. But he, like many other U.S. Senators in the South, resigned from the Senate and joined the Confederate Army. Jefferson Davis became President of the Confederacy.

When I take them to Jefferson Davis's desk, these teachers of American history, this is what I tell them;

that there is on that desk what looks like a chop mark. The story that is told is that it was created by a Union soldier who came into this Chamber when the Union soldiers occupied Washington, DC, and began to destroy the desk of a man who was the president of the Confederacy, Jefferson Davis, until he was stopped by his commanding officer, who told him: Stop that. We are here to save the Union, not to destroy it.

What do we do with Jefferson Davis's desk? I say keep it there. I say to learn from it, to learn from the fact that there was a Civil War; that there was a Confederacy; that Senators left this body; that Union soldiers were here; that one wanted to chop it up and another one would say, his commanding officer: Let's bring a better future. Stop that. We are here not to destroy the Union but to save it.

There are lessons in American history. There are lessons that we should learn. The lesson of Ben Hooks: We are a work in progress. We have come a long way. We have a long way to go; the lesson of Samuel Huntington, that most of our politics is about setting high goals for ourselves, that all men are created equal, and then dealing with the disappointment, struggling with the disappointment of not reaching those goals, deciding what to do about it.

Do we dishonor Andrew Jackson's effort to keep our country together between Jefferson and Lincoln? Do we dishonor Thomas Jefferson's eloquence? Do we dishonor George Washington's probity in character or Lincoln's courage or FDR's grand leadership during World War II all because they weren't perfect, all because they did things and lived things and said things that today we wouldn't say? I think not. Doing any of this would be a terrible misunderstanding of American history and of human nature. It would be ahistorical.

In his first inaugural address, Abraham Lincoln appealed to the better angels of our nature. If there are better angels of our nature, I guess that means there must be worse angels in us as well, not just in Washington and Jefferson and Jackson and Roosevelt and great men or great women but in all of us. There are the better angels, and there are the worst angels. In this country, our goal is to bring out the best in us, which does not mean ignore the worst.

We need to be honest about our weaknesses. We need to be proud of our strengths. We need to learn from both to create a better future for the United States of America.

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. SCOTT of South Carolina. Madam President, I ask unanimous



consent that the order for the quorum call be rescinded.

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

THE JUSTICE ACT

Mr. SCOTT of South Carolina. Madam President, I come to the floor to continue a conversation, a dialogue, about the importance of moving forward on the motion to proceed on the JUSTICE Act.

It was just an hour and a half ago, in front of the entire press corps, when I, Leader MCCONNELL, and the leadership team on the Republican side had a very open conversation with the press about fact that voting for this motion to proceed is voting for an open process. He said—and I agree—that this process must be open. I have asked that we have amendments, and the leader has said yes.

So, to my friends on the other side who believe that somehow—in some way—this does not include an actual open process, wherein you have a chance over several days, in the sight of the public, to talk about and offer your amendments, that is wrong. If you want a process whereby you will have an opportunity to persuade those in this body and the American people about the value of your amendments, this motion to proceed is a motion you should vote for. More importantly, rather than persuading the American people that this is a motion to proceed that you should vote for, if you really want to get into police reform, we will need a vehicle with which to get there. The JUSTICE Act is that vehicle.

Speaker PELOSI herself said—and I do not often quote Speaker PELOSI or even paraphrase Speaker PELOSI about something that she and I might agree on, but I agree here—that it would be important for us to have a conference, which would require this body to pass legislation. Then it would go to conference with the House. The only way we will pass legislation in this body is for there to be a bipartisan coalition of Republicans and Democrats, working together, because a majority of the Senate is not 51 out of 100. From a legislative purpose, the majority of the Senate is 60 votes. That means we require 60 votes to even start the process of saying to little boys and girls in communities of color around this country: We see you. We hear you.

I grew up in some impoverished communities and in a single-parent household—mired in poverty. I understand how it feels to leave your home, get in a car, and be afraid of being stopped. I get that. I have spoken about that too many times already. What I will say is that this body has a chance to say to those kids: We see you. We hear your concerns.

A motion to proceed is simply a procedural motion that says: Let's debate the underlying bill. Let's have a conversation in front of all of the American people about the importance of doing police reform the right way. If you don't trust the Republicans or if

you don't trust the Democrats, you get to watch the process play out right here, within the world's greatest deliberative body—you can watch it play out right here, live on C-SPAN—and come to your own conclusions about the seriousness of this issue. Yet if we miss that golden opportunity—if we miss the opportunity to debate the underlying issues—all you will wind up with will be talking points and campaigns.

You see, some believe that one side would rather campaign on police reform than solve police issues. I believe that both sides of the aisle have vast majorities of people who are willing to come to the table to have a serious debate on the underlying issues that have brought combustion into this Chamber and solve them, not have them explode. All of us do not have to tackle the issues like I did when I was 16 and 17 and 18 and 25 and 26 and 30. We are all here now on this sacred ground, and we have the ability to say to that young man and to that young lady: We didn't just see you. We didn't just hear you. We acted on it. By doing so, I believe we can make a difference in the lives of Americans whom we actually save.

There have been some criticisms. I sat in my office and listened to some of the criticisms about our JUSTICE Act by my friends on the other side. One of the criticisms was that the JUSTICE Act does not require new reporting measures on use of force. What? I sat in my office, speechless, because our legislation absolutely, positively, unequivocally requires more information. The House bill has a 10-percent penalty, and our legislation has a 20-percent penalty, or twice the penalty.

I heard that our legislation does not ban no-knock warrants, which is critically important because, in Louisville, KY, the conversation around no-knock warrants took a drastic turn in the wrong direction that led to the killing of Breonna Taylor. My friends were talking about how the House bill—their bill—bans no-knock warrants in drug cases, but when you open the legislation and read the pages, what it does ban are no-knock warrants for Federal agents. In Louisville, KY, those were not Federal agents. So the complaint and the concerns about what actually helps situations in places like Louisville, KY, aren't answered by the House bill.

I will be honest. In our legislation, we want to get the data around no-knock warrants so that we can actually direct the resources and the decisions in the right way. So, yes, you could say ours allows for a more deliberative process. Well, let's debate that, and let's come to an agreement.

Next, I heard that the JUSTICE Act would not end choke holds and that their legislation would actually ban choke holds. Let's take a closer look. That is false. With strict penalties facing local police departments, they go after choke holds by holding off on grant dollars for local agencies and

State agencies. Our legislation does the exact same thing. We go after local departments and State agencies by withdrawing some grant dollars.

What theirs says about the ban on choke holds applies only to Federal agents. That is really important. Why is that important? When you are watching at home, you hear there will be a ban on choke holds, but you don't necessarily make the correlation or have the information to reach the conclusion that they are talking only about Federal agents. Why is that important? Because Eric Garner's was not an incident with a Federal agent. It was not.

For 700,000 of the 800,000 law enforcement officers, the ban would not apply. That is really important information to share with the American people. Why is this so? It is called the Constitution. It is a pesky, little thing sometimes, but it is a fact. The Constitution does not allow for the Federal Government to dictate to those in local law enforcement what they can and cannot do. So they use the inducement of resources at the Federal level.

I talked to 10 Democratic Senators today, and I told them all the same: Let's get on the floor and amend the bill and see what happens. By the way, our legislation says the same thing. We instruct the AG to figure out how to ban it for Federal officers, and we reduce money and take money away as a penalty for those departments that have not banned choke holds.

The President's Executive order says that the certification process must include being certified by a governing agency that doesn't look favorably on choke holds. So whether you are in the House or whether you are a Senate Democrat or Republican or are in the White House, we are all closing in on the same outcome.

Here is what may be just as important as the distinctions that, I hope, I have cleared up as to the differences that are not necessarily the biggest differences on the important issues of what they said this morning was not what we were doing. I think selling something is important, but you can sell by manipulating or you can sell by motivating. I want to be clear that our legislation says what it says, not what others say it doesn't say.

Why am I so passionate about this issue? Beyond my 18 stops as a person of color, beyond my issues here in the Senate, beyond the fact that I am the one who grew up in poverty, in a single-parent household—beyond that point—in my legislation, which is the Senate Republican legislation, and the House legislation, there is so much common ground on which we can work, and to lose this moment for the kids and the young adults who are watching this process would be terrible. Let me give you a couple of examples of what I mean by the things that we have in common.

Both sides agree on more deescalation training and on duty-to-intervene

training. Both sides agree on ending choke holds. Both sides agree on passing anti-lynching legislation. Oh, by the way, I and Senator GRASSLEY—the then-chairman of the Committee on the Judiciary—worked with Senator HARRIS and Senator BOOKER to get it passed not once in this Chamber but twice. It stalled in the House before it stalled over here. We got it done twice, and it is another area of agreement. Both sides agree on the importance of more minority hiring in law enforcement. Both sides agree that more body-worn cameras are a good thing. We actually go further and have penalties for not having the body cameras on, but both sides agree. Both sides agree on the creation of a National Criminal Justice Commission, which, by the way, was the No. 1 recommendation of President Obama's Task Force on 21st Century Policing.

So why can't both sides agree on a motion to proceed? If there is that much commonality in the underlying legislation, if we are all watching the same pictures that we have all found disgusting and unbelievable, why can't we agree on tackling the issues in a substantive way here on the floor of the world's greatest deliberative body? That is what we are supposed to do here. We debate the issues. I want the Nation to see; I want the public to see; I want the world to see; I want all of America to see our debating this issue. I thank the Presiding Officer.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Madam President, across the country, there has been a national outcry for justice and for real changes in law to address police brutality and reflect the undeniable truth that Black lives matter.

This week should be our opportunity in the U.S. Senate to come together—Republicans and Democrats—to begin to fix our broken policing system, which is what so many people in big cities and small towns in Oregon and in every State across America are demanding of us. Yet, instead of allowing that kind of bipartisan discussion, Leader MCCONNELL is plowing ahead with partisan business, as usual, on a bill that falls very short of what the Senate ought to accomplish.

I see my friend on the floor, Mr. SCOTT, the distinguished Senator from South Carolina. I want to make it clear that I have great respect for Senator SCOTT. He is an important member of the Senate Committee on Finance, on which both of us serve. I appreciate every opportunity to work with him. In fact, I think a fair number of people around the country will note the work we have just done in the last few weeks on nonprofit organizations. So we will be working together, I know, in the days ahead.

Unfortunately, the majority leader is giving short shrift to this debate on ending systemic racism by putting forward an inadequate bill and essentially daring the other side to oppose it. That

is not the way you bring together both sides to address big, important national challenges.

Let me take just a few minutes to talk about some of the specific shortcomings of the legislation that Senator MCCONNELL wants to bring to the floor. For example, how can 100 Senators not agree that choke holds are wrong and ought to be banned? That is what my Democratic colleagues and I have called for: a nationwide ban on choke holds, period—full stop.

The Republican bill does not take that same strong, firm position. In my view, you cannot equivocate when it comes to a reform as basic as banning the choke hold. Anything short of a ban creates loopholes for the use of choke holds, and that is the wrong way to go for our country.

Second, this bill doesn't create any real accountability for police misconduct. It doesn't set up independent investigations for prosecutions of police abuses. It doesn't create national standards for law enforcement. It does not end qualified immunity.

Those issues are right at the center of the challenge of reforming policing in America, and they are the issues the American people want to see addressed head-on.

A lot of what the majority's bill—Senator MCCONNELL's bill—does with respect to police conduct is essentially collecting data. Nobody is protesting collecting data. What people are protesting on is they want to save lives. The Senate ought to do better and make those real changes that improve public safety.

Third, the extreme militarization of our police forces in recent years. It is actually an issue that goes back more than a few years, but the danger of a military mindset in domestic law enforcement was never more clear than when Trump officials started talking about “dominating the battle space.”

Our communities are not war zones; our citizens are not enemy combatants; and our police officers should not be occupying forces, so why has the United States undergone this years' long military mobilization on its own streets, against its own people?

It is long past time for this to end and for all our communities to institute 21st century community policing policies, but the Republican bill does not do that either.

The truth is, Senator SCOTT's bill does take a few good steps, like establishing the duty to intervene and making lynching a Federal crime. Those are issues that I and other Democrats would like to work on with Senator SCOTT on a comprehensive bill, but that is not what Senator MCCONNELL has put on offer this week.

My concern is that if the Senate takes up the McConnell bill, it is going to just be business as usual under the Republican leader: a short debate cut off arbitrarily, not enough votes, and not enough improvements to the actual bill. I just don't believe that, when mil-

lions and millions of Americans are demanding more, that business as usual is somehow acceptable.

That video of the murder of George Floyd at the hands of police stirred a part of America's national consciousness. There have been peaceful protests in all 50 States over the last few weeks calling for us to stamp out racial injustice—people of all ethnicities, of all ages, all genders. It has been a rare display of common purpose and common engagement in America.

As Senators, we have an obligation to respond to that call with something significantly better than business as usual. I know that Senator SCOTT wants to get there. I know that my Democratic colleagues and I want to get there.

I am proud to support Senator BOOKER and Senator HARRIS, who have been doing outstanding work on this issue, and I know that, regardless of the outcome of tomorrow's vote, we are going to keep working.

As for this week, the Senate would be wrong to just rush this process and just check the box with a partisan process, a partisan approach, before shrugging its shoulders and moving on to the task of dealing with more far-right judges.

So I am going to vote against cloture. I urge my colleagues to do the same.

I yield the floor.

The PRESIDING OFFICER (Mr. BOOZMAN). The Senator from Minnesota.

#### VOTING

Ms. KLOBUCHAR. Mr. President, I rise today and thank my colleague from Oregon and also thank him for his work on the voting bill. We just had a discussion with Senator BLUNT about that, and while we didn't agree on the bill, there is a discussion that is ongoing—as we head into another COVID package, possibly, which we really believe we need to—on working on some funding issues for the States as we look at more and more balloting from home and how important that is.

I want to thank Senator WYDEN for his leadership for so long on that issue. I brought up his home State in a speech about an hour or so ago and the work that Oregon has done with ballot-by-home and, I think, ballots from home.

I actually think I used the number of percentage of fraud as 0.0000001, or something like that, to show that what the President said is not true; that we have had, actually, in many States across the country—including Utah, a redder State—a big success with voting from home.

#### JUSTICE IN POLICING ACT

Mr. President, I rise today on another matter, and that is to urge the Senate to consider meaningful, comprehensive legislation to make systemic changes to our justice system that will save lives—save lives in the Black community and save lives in all communities of color that have experienced injustice for far too long.

I am deeply concerned that the bill on the floor this week fails to meet this moment. It has been nearly 1 month since George Floyd was murdered in my State. We all watched as his life evaporated before our eyes. It was a horrible thing.

People who watched it, whether they were in law enforcement or whether they were just regular citizens who saw this, it hit home to many of them for the first time—and many of them, sadly, in the African-American community for many, many times before that—how truly unjust this is and how immoral this is.

His death was horrifying and inhumane, and it galvanized a nationwide movement for justice.

As Members of the U.S. Senate, we have a responsibility to respond to that call with action, and that means, when you have systemic racism, that you must address it with systemic change.

Some of that is happening in our State and local governments. That is a good thing. But some of that must also happen here. This is not just an issue for one city or one State—my home State—nor is it an issue at just the local level. There is a lot of work that needs to be done at the local level, and that has been acknowledged by mayors and police chiefs across the country.

There is also really important work that we must do here. I was proud to join my colleagues in introducing the Justice in Policing Act, led by Senators BOOKER and HARRIS, which makes comprehensive changes to our justice system that are long overdue.

These reforms—including police officers being held accountable for misconduct, reforming police practices, and improving transparency—will be good for our Nation. The Justice in Policing Act will help to prevent more tragedies like those we have seen—prevent murders.

It is widely supported by groups like the NAACP, the Leadership Conference on Civil and Human Rights, and the National Urban League.

The House is expected to pass the bill this Thursday. Then it comes over here. But instead of taking up that bill, the Justice in Policing Act, Leader MCCONNELL has brought a different bill to the Senate floor: the JUSTICE Act.

My problem with it is, despite the name and despite a lot of the words that we are hearing on the other side, it doesn't get us to where we need to be. In this moment, as people are still marching and demanding change, we cannot confront these urgent issues with half measures or equivocation.

I have serious concerns that this bill does not respond to the nationwide call for justice. Unlike the Justice in Policing Act that is going to pass the House, the bill we are considering here in the Senate lacks critical reforms to strengthen Federal pattern-and-practice investigations, a reform that is urgently needed after we all saw the video of the police officers standing right next to each other with George

Floyd pinned down—pinned to the ground.

I have called on the Department of Justice, with 26 other Senators, to conduct a full-scale investigation into the patterns and practices of the Minneapolis Police Department, and any bill that we consider should make sure the Civil Rights Division has the authority and the resources they need to conduct a thorough investigation.

By the way, our calls have still gone unheeded. During the Obama Justice Department time period, 25 of these cases—pattern-and-practice investigations—were brought. During the Trump Justice Department time period, just one unit of the Springfield, MA, Police Department went through a pattern-and-practice investigation.

I don't know what more proof we need than the fact of the video and the fact that there were other officers standing nearby, the fact that we have called for this with 26 Senators but, still, we await any final word from the Justice Department.

They have informed us that they are still looking at this, but in the meantime, our Department of Human Rights in the State of Minnesota is stepping in to fill the void. I don't think that is the ideal way to do it. You would like a Justice Department that has experience doing this in other jurisdictions, but our State's Department of Human Rights is now stepping in and conducting its own pattern-and-practice investigation.

The bill on the floor fails to help States conduct their own investigations, as I just mentioned, to address systemic problems in culture, training, and accountability at police departments, like what the Minnesota Department of Human Rights is now conducting. By the way, with the proper resources and the experience they are gleaming from former Justice Department officials and the like, this is one way to handle some of this, in addition to the Justice Department.

At a time when our Justice Department has failed to take up these investigations, this provision that is in the Justice in Policing Act is even more critical.

We must also take action to put an end to practices that unnecessarily put people's lives at risk. I worked with Senator GILLIBRAND and Senator SMITH of my State on provisions in the Justice in Policing Act to ban Federal law enforcement officers from using choke holds and other neck restraints and to prohibit States from receiving certain Federal funding unless they have passed laws to ban these practices.

We have used this method in the past, and if there is significant funding attached to it, States will react.

The bill on the floor this week from our Republican counterparts only bans certain types of choke holds—those that restrict airflow but not blood flow—and only in certain situations. This does not go to the point that we need it to go to get the kind of sys-

temic change we need in our criminal justice system.

Critically, the Republican proposal does not include necessary changes to hold individual officers accountable for misconduct, like making records of police misconduct public. Real change comes with accountability and, as drafted, the Republican bill does not provide it. That is why it is opposed by civil rights and criminal justice groups, and it is why the attorney for George Floyd's family—and I had the honor of speaking with George Floyd's family—has said that this bill is “in direct contrast to the demands of the people.”

So where do we go from here? Well, we can start by calling up the bill that will be coming over from the House. We can start by agreeing to work together. Let's have a bipartisan process to develop the consensus bill that we need based on the bill that is going to be coming over from the House.

As a member of the Judiciary Committee, I have seen what happens when we work together to get something done. That is how we passed the FIRST STEP Act, which passed the Senate with a vote of 87 to 12 by reaching across the aisle and by actually doing something—not just a bill full of platitudes or studies but actually doing something, which is what the people are calling out for now.

By the way, there are a lot of good police officers out there, including ones who work around us, and when you put strong standards in place, they meet those standards.

To allow that conduct that we saw on that video to go without national changes to our policing would be just to say, well, it is just this incident in Minnesota, which, of course, is being prosecuted by our attorney general, Keith Ellison. That is how you could resolve it if you thought it just happened once and it just happened in one State, but we know that is not true, my colleagues. We know that is not true. That is why it is so important to take action and pass the actual bill.

We already started this process in the Senate Judiciary Committee. Last week, we held a hearing on these issues. We heard testimony from local leaders like St. Paul Mayor Melvin Carter and law enforcement officers from across the country.

I heard a lot of agreement among many of those who testified—not all of them but many of them: support for banning choke holds, establishing a national use-of-force policy—these are police chiefs—creating a public database of public misconduct, and ensuring independent investigations of police-involved deaths, something I pushed for in my former job.

You cannot have the police department that the officer works for investigating this conduct. That is wrong, as I said publicly years ago.

There are areas where we can find agreement, but we have to mean it. Chairman GRAHAM said at the hearing

that he hopes the Judiciary Committee could consider what has been proposed and “come up with something in common.”

Well, we start with the bill that is going to be coming over from the House, the bill that has been sponsored in the U.S. Senate by Senators BOOKER and HARRIS.

Instead, Leader MCCONNELL is asking us to consider a bill that was drafted in their caucus, yes, but without the input of so many of us who have seen firsthand the damage that has been done here. He is, then, moving that bill directly to the floor instead of letting the Judiciary Committee consider it. I think that fails to make the kind of meaningful change we need in our system.

This is a moment for urgent action, but it is also a moment for fundamental change. If we respond to all of those people out there and the family of George Floyd—whom I got to meet and sat across the pews from at that memorial service—if we respond with silence, then we are complicit. If we respond as the President has suggested, with dominance and by waving a Bible in front of a church for a photo op, then we are monsters.

If we respond with action—meaningful action—colleagues, then we are law-makers, and that is what the people of our State sent us to do.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Mr. President, I want to thank the Senator from Minnesota for her ongoing leadership on so many issues and, certainly, this is one of them. We greatly appreciate and need your voice.

Mr. President, for over the past month, Americans in all parts of our country and from all walks of life have once again been marching for the cause of justice. They are raising their voices and raising the names of those killed by police violence: Eric Garner, Michael Brown, Freddie Gray, Breonna Taylor, George Floyd, and Rayshard Brooks.

Americans aren't marching because of politics. They are not marching because they want the Senate to pretend to address this issue and hope it goes away. Americans aren't marching because they want more studies and reports. No. Americans from all walks of life—young and old, people of all backgrounds, religions, and nationalities—are marching because they are sick and tired of learning about more names. They want the people who represent them here in this Chamber to finally confront this deadly serious issue with the seriousness it deserves.

It is time we meet their expectations in this historic moment. This really is a historic moment. It is a historic opportunity for all of us to come together. It is past time to do something to stop the violence. It is time to come together and to do something big and consequential, and it is going to take all of us to be able to do that.

Just think about the big things we have been able to get done in the past decade or so. I am not trying to equate this current moment and this seriousness, but I know we know how to do other big things. The Presiding Officer knows that too. We do things across the aisle. We work across the aisle when we want to get things done.

I think about passing a farm bill, a 5-year farm bill. A lot of people said we couldn't get it done because of all the different interests—the interests of families and food assistance, the interests of farmers and ranchers and so on.

I had my doubts during those times, but we kept on working in a bipartisan way, and in the end we got a bipartisan bill that was good for farmers and our families, good for our environment, good for our economy. In fact, we passed it with an 87-to-13 vote, which is the most votes we have ever had in the Senate for a farm bill.

Police violence and the systemic racism that is behind it deserves at least the same bipartisan effort that we gave the farm bill. In much the same way, the Senate came together across the aisle and got comprehensive immigration reform done. That only happened because people sat down together with different views—Republicans and Democrats—and worked through the complicated issues that were standing in our way, and we got it done in the Senate.

Police violence and the systemic racism behind it deserve at least that same bipartisan effort.

More recently, there was the CARES Act. Democrats and Republicans worked day and night to come together in agreement on the most effective way to meet the needs of Americans during an unprecedented health and economic crisis—which, by the way, we need to do again because we are not done.

Police violence and the systemic racism behind it deserve at least that kind of effort. This is a huge crisis that pulls at the very soul of America. This issue certainly deserves the best of all of us right now, the best of what we can do.

Systemic racism and related police violence certainly deserve, at minimum, the same kind of bipartisan effort we have focused on other issues that have not had the life-and-death consequences of this issue.

The people who are marching and who are crying out for justice deserve a serious response at a serious moment. Leader MCCONNELL needs to take this issue seriously and support a bipartisan process, instead of just moving to a weak, flawed, Republican bill just to pretend that he tried to do something.

The House of Representatives are serious. They are passing a bill this week and sending it over to us. It is a serious bill. I am proud to be a cosponsor of the Senate version with our leaders Senator BOOKER and Senator HARRIS. They are serious about passing the Justice in Policing Act.

Senate Democrats are serious. MITCH MCCONNELL and Senate Republicans

must be serious too. This is the moment. This is the moment for us to be serious together and address this in a big, profound, systemic way.

Eric, Michael, Freddie, Breonna, George, Rayshard, and all of those who are no longer with us, as well as all of those marching, marching, marching and speaking out deserve nothing less than our best at this moment. They deserve a serious bipartisan effort. That is what I support. That is what my Democratic colleagues support.

We know it takes sitting down and listening to each other. It takes working out differences. That is the only way change happens. We are willing to put in whatever time and effort it takes to make this happen, and that is what we are going to continue to fight for.

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.

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

The PRESIDING OFFICER (Mr. CASSIDY). Without objection, it is so ordered.

Ms. DUCKWORTH. Mr. President, if you walk outside this building and take a few steps toward the White House, you can almost hear the cries for justice still ringing out through the air; you can almost still smell the tear gas lingering over our Nation's Capital. Listen closely and you might still be able to catch the echoes of the peaceful protesters chanting the name of Breonna Taylor, who was killed in her own home after police executed a no-knock warrant; or the name of George Floyd, who was forced to beg for his life until he couldn't beg any longer, held down under the knee of a police officer who swore an oath to protect and serve; or Rayshard Brooks, who was shot in the back just 11 days ago, even as this moment of national reckoning over police brutality was already under way.

For nearly a month now, Americans have been lying down, standing up, kneeling, marching, and mourning in the streets. They have been tugging at and prodding our country, trying to drag it forward until it lives up to the words of its Pledge of Allegiance that in this Republic, there is “liberty and justice for all.”

So far, this Nation has failed to make the promise a reality for Black Americans. It has failed the families of Breonna Taylor, George Floyd, and Rayshard Brooks. It has failed every Black child who knows that playing on a jungle gym could be a death sentence. It has failed every Black parent who kisses the top of their child's head before school each morning as their heart breaks with the knowledge that this time could be the last.

I know that I would never be able to fully comprehend the fear and trauma

that Black Americans experience every day. But what I do know is that the burden of this pain can't fall on them alone. The responsibility, the work of bending the moral arc of the universe toward justice can't just be put on the backs of those who have been feeling its weight this whole time. Rather, it is on all of us—Black, White, Asian, Latinx, you name it—to help those families and communities finally receive the justice they deserve.

But I come to the floor today because my Republican colleagues are trying to force through a bill that barely even pays lip service to the crisis at hand. In some ways, it doesn't even accomplish that. In spite of its name, the JUSTICE Act wouldn't begin to bring any semblance of real justice to the victims from Minneapolis to Atlanta to Louisville and beyond.

It should be obvious by now that the epidemic of police brutality will not be fixed by some bandaid bill. We need to reckon with the real, deep, uncomfortable realities and systemic biases that have marred our country for years. We need to bring systemic change to our law enforcement agencies. We need to force a seismic shift in how we root out and respond to police brutality, including banning choke holds and no-knock warrants in drug cases at the Federal level. My friend Senator BOOKER has introduced legislation that would do just that; the Republican bill would not.

We need to hold accountable officers who break the laws they were trusted to enforce, ensuring that independent prosecutors review police uses of force and prosecute officers who act irresponsibly, recognizing that local prosecutors often have a conflict of interest because they rely on the same police departments to win other cases. I have written legislation to do just that, which has been included in the Democratic bill, but the Republican bill would not do anything close.

We need to amend Federal law on qualified immunity so that officers can't just violate Americans' constitutional rights with mere impunity, and we need to mandate anti-bias Federal law enforcement training. Democrats have put forward policy that would do all of that. The Republican bill refuses any such attempt at accountability and wouldn't even ban racial profiling.

It comes down to this: Real justice, real accountability requires these reforms. Yet the JUSTICE Act itself is silent on so many of them. The so-called "reform" bill aims more at reforming public opinion than actually reforming the policies that got us here.

The families grieving today deserve better, as George Floyd's family made it clear when they themselves spoke out against the bill. They know that those who had a loved one stolen from them deserve more than just lip service. They deserve for their Senators, for the officials elected to represent them in what is supposed to be the world's greatest deliberative body to

try to pass legislation that would actually address the issues in question and the crisis at hand.

Look, next week our country will celebrate its Independence Day. What does freedom for any one of us mean if so many of our neighbors still are not free to walk down the street or sleep in their own homes without fearing for their lives? Until every Black American can breathe without a knee on their neck, no American should feel as if we are truly able to take a breath ourselves.

The Republican bill that we are expected to vote on tomorrow isn't just a disappointment. It leaves Black Americans in unnecessary danger. And settling for lip service when lives are at stake isn't just inadequate. It is cruel too.

I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. BENNET. Mr. President, I want to thank my friends, KAMALA HARRIS from California and CORY BOOKER from New Jersey, for leading us in this fight for so many years.

I remember well when I first went to work for the city and county of Denver. One of the first tragedies that we had in the city at that time was the shooting of a young man named Paul Childs in Park Hill by police under circumstances that should never have happened. That was almost 20 years ago, but these headlines haven't stopped. If anything, matters have gotten worse.

As the country has grappled with the pandemic over the last few months, I heard a lot of people talk about how it has revealed a profound sense of inequality in our country, how it has exposed all this injustice in the United States of America.

We should not have needed a pandemic to expose the injustice that exists in the United States of America. It should not have taken a pandemic to alert people to the injustice in our country. If you have been paying any attention, if you have listened at all to the Black voices in the United States of America, then you know these injustices have been with us for generations.

In the case of our law enforcement system, they have literally had life-and-death consequences for Black Americans, and it just keeps happening. One reason it keeps happening—the one reason it happened to Ahmaud Arbery, Breonna Taylor, or George Floyd—is that what happened to them would never happen to my three daughters; what happened to them would never happen to me. It has never occurred to me once, when I am walking around my neighborhood in Denver, that what happened to them could happen to me or my children. That is what is meant, in part, by White privilege—a privilege that almost everybody in this Chamber enjoys.

I think we can never accept that we live in a country where one group of

people is less safe than another for no reason other than the color of their skin. We have to refuse to accept it, but that is the country in which we live.

We have to acknowledge, finally, what KAMALA HARRIS and CORY BOOKER and others have been telling us, which is that our criminal justice system in this country is broken.

Our long history of unequal treatment of poor and minority criminal offenders—especially Black Americans—has evolved into a system of mass incarceration unlike that of any other developed democracy. A network of dystopian, privatized prison spreads across the land to house people who, in many cases, shouldn't even be behind bars, who were convicted for infractions relating to things that are legal in the State of Colorado today.

According to Ta-Nehisi Coates' definitive article on the subject of the U.S. mass incarceration, our country accounts for less than 5 percent of the world's population but 25 percent of those who are incarcerated. Our closest competitor—and it is hard to find one—is Russia, a virtual police state.

In our country, there is nothing equal about who is incarcerated. Black males between the ages of 20 and 39 are incarcerated at a rate 10 times the rate of their White peers. Every one of these issues needs to be reexamined and formed not by ideology but by pragmatism and, most important, the moral commandments of a just society. That is what the patriotic Americans in our streets in downtowns demand. They are not calling for one more commission. They are not calling for one more study. They are calling for real reform. That is what people mean when they say: This moment calls for real reform. That is what the people are saying in the streets.

With respect to my colleagues on the other side, the proposal Senator MCCONNELL has put forward doesn't come close to meeting that test. His bill, his proposal, which is meant to paper this over and get through to another chapter, not address the issue—his bill still allows the use of choke holds, the same choke holds that suffocated the life from Eric Garner. It doesn't ban no-knock warrants, the same practice that led police to break down Breonna Taylor's door and shoot her eight times in her own apartment. It doesn't make it easier for families like the family of George Floyd to seek justice when their loved ones have been victimized by police brutality. It doesn't even ban racial profiling. There is virtually nothing in this bill to respond to the families calling for justice or to save lives from police practices that have no place in America in the year 2020.

This is not a time for half measures, for one more attempt to use talking points and legislative tricks to make it seem like we are doing something when we are not. The idea that the country isn't ready for a comprehensive approach is not true.

I will yield to my colleague from Connecticut in just a minute.

Last week in Colorado—my State, a Western State, a purple State—we became the first State in America to pass a sweeping police accountability bill into law. It is almost exactly like the one we have proposed here. We passed that bill 52 to 13 in the State House and 32 to 2 in the Senate—32 to 2. Only two Republicans in the Senate voted against that bill. Every single Democrat voted for that bill. And that is Colorado, out in the middle of the country. It sets a standard for what we need to do in Washington, which is to pass the Justice in Policing Act that Senator HARRIS and Senator BOOKER have put forward because we will never heal as a nation, as a country, unless we confront and dismantle the systemic injustice and the systemic racism that still plagues America, running as it does in a straight line from slavery to Jim Crow, to the redlining of our housing and banking system, to the mass incarceration that we have, to the prisons that Ta-Nehisi Coates refers to as “The Gray Wastes.”

As I said on the floor the other day, anyone who studied the history of our democracy knows how tough it is to make progress. The struggle has always been a battle from the very beginning of our founding, between our highest ideals and our worst instincts as a country. More often than not, the fulcrum of that battle from the founding until today has been race. Progress on these lines has never been easy. It has never come easy.

Among us are still people whose politics are aimed at stripping some citizens of their rights and opportunity, who despise pluralism, who succumb to fearful hatreds like racism or who care nothing for anyone but themselves. Their presence means that the rest of us, most of us, who Martin Luther King, Jr., called the great decent majority, must share an even deeper understanding of our patriotic obligation to our fellow Americans and to our Republic. Right now, that obligation means doing everything in our power to answer the call of Americans in our streets and downtowns, from DC to Denver, and beyond, who are calling for an America where no one is denied protection of the law or justice or their own life because of the color of their skin.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, I have been doing a lot of listening over these past months. Like Americans across this country, I have been doing a lot of listening to the dedicated and passionate people, our fellow Americans, who have marched in the streets and our communities with passion, but peacefully, in their cries for justice. In fact, I have marched with them in 15 or more demonstrations in Connecticut—big cities, Hartford, Stamford, New Haven; smaller cities, Lyme, Marl-

borough, Trumbull, Windsor, Glastonbury; and then places like Torrington, East Hartford, Danbury—all across the State, proud to be with people from Connecticut, led by our young people, as are many great social movements and revolutions of our time led by young people who have the audacity and hope to cast aside the normal and say: There is no going back. There is no rolling back to the old normal. What we need is action.

That has been the common theme in these cries for justice—the demands for accountability, the pleas for an end to racism, generations of racial justice, and racism with historic roots in so many of our institutions, including some of our law enforcement. But they are demanding more than just our listening and more than just our speaking. They are demanding action—real action, real reform, real change with real teeth and new laws.

The time has come for us in this Congress to heed those calls. We need legislation that honors the memories and the lives of those who have lost their futures: Michael Brown, Philando Castile, Sandra Bland, and countless others added to George Floyd, Breonna Taylor, Ahmaud Arbery, and Rayshard Brooks. Some are in the headlines. Some of their deaths have been caught on video—but so many thousands never on video, never publicized, and never known to the public.

In their memory, but also for the sake of our future, we should move forward with action. We are here today because, simply and starkly, the Republican JUSTICE Act fails to meet this moment. It fails that test.

I have been listening not only to the folks in the streets and our communities but also to my great colleagues CORY BOOKER and KAMALA HARRIS. Clearly, from what we have heard from them and the work they have done, along with many of us, to fashion the Justice in Policing Act, the Republican proposal is a shadow of what it should be—unacceptably weak, nibbling around the edges of this problem, without any guarantee that Black Americans will not again ask us whether their lives are worth \$20.

The JUSTICE Act fails completely to address the harmful policing practices that we know have cost lives. The deaths of Breonna Taylor and Eric Garner are not anomalies. Choke holds and no-knock warrants are known to be costly. They have cost Black lives. The JUSTICE Act ignores this truth.

Americans are not marching in the streets so we might “study” these phenomena. They are not begging us to design programs “disincentivizing” practices that are literally killing Americans—Black Americans—Americans who deserve justice.

The notion we could respond to this moment with a commission or several commissions and incentives to do better is insulting to all of us. We need legislation that explicitly bans the use of choke holds and no-knock warrants

in drug cases so we can credibly tell the American people we hear you, and we will act.

Communities of color must be able to trust that law enforcement will be held accountable if they commit criminal acts. The Republican JUSTICE Act completely lacks any mechanism to hold law enforcement officers accountable in court for their misconduct. It makes no change to section 242 of title XVIII, which makes it a Federal crime to willfully deprive a person of constitutional rights.

This criminal statute can be used to hold officers accountable for the use of excessive force—something we all know led to the deaths of far too many Black and Brown people in this country. I believe that criminal liability is a critical tool in the law enforcement accountability toolbox but only if it is used.

Right now, civil liability is available, albeit an inadequate remedy so long as a qualified immunity is not reformed. But very often, in 99 percent of the cases, any civil remedy involves indemnification by the municipal government. Indemnification means the individual officer feels no financial penalty and very often little other penalty. Criminal liability involving potentially prison concentrates the mind. It is a strong deterrent.

As I said in a hearing that we conducted in the Judiciary Committee, we need change to make it a real remedy and a real deterrent. When Officer Chauvin held his knee on George Floyd’s neck for 8 minutes 46 seconds, he looked straight into those cameras with impunity because he assumed he would never be prosecuted criminally. He never imagined that justice would find him, and justice still must find him in a criminal court. He ignored the pleas of bystanders telling him to stop. He ignored George Floyd, as he begged for his life.

These kinds of actions by an individual in a system that has shielded people like them simply encourage more of them. Section 242’s change in the standard of criminal intent will provide real criminal culpability for police who deserve it.

The Republican JUSTICE Act relies mainly on data collection, which may be used to inform policy proposal at some later time. It pushes down the road any real action.

We already have statistics. Since 2015, there have been 5,000 fatal shootings by on-duty police officers. In the past year, over 1,000 people have been shot and killed by police. Black Americans account for less than 13 percent of the country’s population, but they are killed at more than twice the rate of White Americans.

Data is important. In fact, I was the lead sponsor of the Death in Custody Reporting Act, passed about 6 years ago. Regrettably and inexcusably, that measure has never been enforced so that it has never really been effective. We must make it so. But it shows the



limitation of any data collection system. The fact is, systematic racism law enforcement has gone unchecked for too long. The time for accountability is now. It is long overdue.

Let me say, finally, for most of my professional career, I have helped to enforce the laws. I have been a trial lawyer, yes, but I also served as the chief Federal prosecutor—the U.S. attorney—for Connecticut for 4½ years and then as attorney general of my State for 20. I have seen some of the best in law enforcement and some of the worst.

We need a higher standard, not just in words or paper but in fact. We need a standard that is worthy of the people who have marched and cried for justice throughout American history, who have tried to dream of a better system and a fairer country. There is so much work for us to do. At this moment, we must seize the opportunity, a point of consensus, to come together and act in a way that is worthy of this great Nation. We have proposed exactly that action in the Justice in Policing Act. We should be moving forward on it now, not on a bill that is truly unacceptably weak and inadequate and unworthy of this historic moment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

#### THE JUSTICE ACT

Mr. BROWN. Thank you, Mr. President. Thousands of Americans are protesting in communities across our country demanding that our country be better. The protests are an expression of grief for Ms. Taylor and Mr. Floyd and Mr. Arbery and Mr. Brooks and so many other Black Americans murdered by the people who are supposed to protect them. They are an expression of frustration and anger. It is 2020. It is the year 2020, a century and a half after the official end of slavery, five and a half decades after the passage of the Civil Rights Act, and still Black Americans are fighting the same fight. They are also an expression of hope against racism. We demand that our country do better. Demanding that we live up to our founding ideals is one of the most patriotic things anyone can do.

We need to listen to the Black voices leading these calls for justice and take real action. That is what Democrats want to do, and my colleagues Senator HARRIS and Senator BOOKER and the Congressional Black Caucus in the House have led bicameral efforts and have a serious plan, the Justice in Policing Act. Everybody knows it is a serious plan—everybody. It would implement real, meaningful reform. It would actually hold police accountable. It makes clear: no more choke holds, no more unchecked police misconduct, no more militarization of police.

Of course, we know this isn't the only thing we need to do. Policing didn't create institutional racism; it is a product of it and often reinforces it. We have a lot of work to do beyond this,

but these reforms are an important start to making policing in our country more just.

The Justice in Policing Act would create real change in our justice system, and communities across the country can't afford for us to not act on this meaningful legislation. What we cannot do is pass something just called police reform that does so little to actually reform policing and then turn around and tell Black mothers and fathers whose children who have been slain: See, we solved it. Our work here is done.

I respect Senator SCOTT, and I appreciate his coming to the table and taking on this issue. I know he is fighting an uphill battle with his own caucus. I know that. So many on his side of the aisle don't want to do anything, but they think they need to check the box.

I want to work with Senator SCOTT and with anyone of either party on real solutions. All of us on our side do. But I am not willing to participate in a political charade to vote on something that has no chance to lead to real change. It just checks a box and provides politicians with a talking point. It is an insult to Black families who have been fed empty promise after empty promise, year after year, decade after decade, generation after generation.

We need to listen to the communities that suffer the most at the hands of police violence. They all agree that the Senate Republican bill is simply not serious. It will not fix the problems. We will be right back here sooner rather than later. Virtually every major civil rights group opposes this bill: the NAACP Legal Defense Fund; the Urban League; the Young Women's Christian Association, one of the most important civil rights and women's rights organizations in the country.

It doesn't ban no-knock warrants; the Justice in Policing Act does. It doesn't stop the militarization of police departments; the Justice in Policing Act does. It doesn't create a national misconduct registry; the Justice in Policing Act does. It doesn't ban choke holds; the Justice in Policing Act does. These are all steps that civil rights groups have said are critical to any reform effort. It is the bare minimum.

All this bill offers is more studies of questions we already know the answers to. We don't need more studies. We don't need more task forces. We don't need, as Senator MCCONNELL specializes in, more delaying tactics. We need accountability. The JUSTICE Act even puts us in danger of moving in the opposite direction by providing more funding for policing without adequate rules and regulations and without a similar investment in community support.

The NAACP says this bill "ignores the public demands to reimagine public safety by shrinking the purview of law enforcement and providing better funding to agencies equipped to address the

critical needs of communities such as social services, mental health services, and education."

The Urban League says this Scott bill "dances around the edges in a show of political posturing."

We refuse to engage in that political posturing. We refuse to act like it is just a box we check and then we can move on. We refuse to insult Black Americans by pretending—pretending—this is a serious effort. People have suffered too long for that.

We have been here before. This isn't the first wave of protests or the second. In 2014, after the murders of Tamir Rice in my city of Cleveland and Michael Brown in Ferguson, MO, President Obama's legislation laid important groundwork for reform. They studied what reforms would be most effective. They instituted consent decrees with cities to hold departments accountable, and they created a roadmap we could follow. But President Trump undid much of the progress the Obama administration made.

The Urban League put out a plan for reform around the time of the murder of Tamir Rice after Michael Brown's murder in 2014. Since then, nearly 1,300 Black men and women—think of that—more than 1,300 Black men and women have been fatally shot by the police since the deaths of Michael Brown and Tamir Rice 6 years ago. This bill does nothing to stop the practices that killed them.

Black Americans know their lives are put in danger by police every day. We must listen to them. People all around the country—Black and White and Brown, in small towns and big cities, young and old—are listening, waking up, and joining the calls for change. The peaceful demonstrations and protests all over my State in Black and White neighborhoods and integrated communities and small towns and rural Ohio, in big cities, in suburbs everywhere—let's follow their lead. Let's actually hear the voices that have been silenced for too long.

I urge my colleagues to vote no and, instead, to work with us on real, meaningful reform to transform our public safety system into one that actually keeps people safe.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, I rise today to address the nationwide call for reasonable, sensible police reforms. Last month, the American people watched in horror as a police officer knelt down on the neck of George Floyd for 8 minutes and 46 seconds, killing him.

"I can't breathe." It was a slow execution caught on video, a metaphor for the systematic racism and injustices Black and Brown communities endure every day. But unlike other horrific videos of police killings that have sparked protests, this feels different. This is a moment when people of all races and walks of life have taken to



the streets in cities and communities across the country. They are crying out: Enough is enough.

It is time for us to address the institutional racism, economic, societal, and environmental inequities and injustice that have plagued this Nation since its founding. The American people are demanding real, meaningful change—bold, comprehensive action that starts by reforming our police system that has historically dealt a heavier hand toward communities of color.

What did the Republican majority do to answer the public's plea? They have offered the American people the JUSTICE Act. They call it justice, but justice for whom? This bill fails to meet this moment in history before us. It offers only lip service to the families of George Floyd and Breonna Taylor and Tamir Rice and Eric Garner and all of those tragically lost at the hands of the police.

The Republican JUSTICE Act is nothing more than a glorified suggestion box filled with half measures and placations that sound good on paper but simply will not deliver the real change the American people are demanding from this body. There is no justice in the JUSTICE Act; rather, it is a wholly inadequate response to the injustices faced by Black and Brown communities at the hands of the police. It merely asks, suggests, recommends, and encourages. It says to law enforcement: Hey, would you mind? Could you kindly? Do you think you might be able?

Nowhere in this bill does it compel, require, mandate, or insist upon the commonsense structural reforms the American people are demanding. The JUSTICE Act calls for reports and a commission, but we have had 400 years to study the stain of slavery and institutional racism in this country. We don't need a study to tell us that too many young Black men are dying at the hands of the police or that you are more likely to be shot and killed by the police if you are Black than White. A commission will not save the life of the next George Floyd.

My Republican colleagues may think that the American people will praise them for passing an empty bill named "JUSTICE" that does no justice to the deep-seated, systemic failures in our policing system. They are mistaken.

Indeed, I would encourage my Republican colleagues to consider the Justice in Policing Act, led by Senators BOOKER and HARRIS, which I am proud to cosponsor. It requires a comprehensive set of reforms designed to increase police accountability, improve transparency, and invest in training. The Justice in Policing Act bans no-knock warrants in drug cases, the kind that led to Breonna Taylor's death. It establishes a national public registry on police misconduct so that the bad actors who make it harder for the good cops to do their jobs can't just move from department to department. Our bill requires data collection and publication

on the use of force. The Republican bill does none of those things. While the Justice in Policing Act bans deadly choke holds and other tactics that restrict blood flow to the brain, the Republican bill stops short of any such ban.

The JUSTICE Act is also silent on racial profiling and the militarization of local police departments. It is silent on funding independent investigative channels to prosecute police misconduct and fails to strengthen pattern and practice investigations. It fails to establish national standards for police misconduct. While it would provide additional money to law enforcement, it does so without actually requiring any substantive change, so it fails us. The JUSTICE Act fails to create a system of policing that is about community safety and equal application of the law.

So, again, I ask my friends on the other side of the aisle: Where is the actual justice? Where is the justice for Breonna Taylor, George Floyd? Where is the justice for those murders that were not captured on video? Where is the justice for thousands of Black men sitting in prison, victims of over-policing and racial profiling?

Senator MCCONNELL would have us think that the JUSTICE Act is our only option, that if we don't acquiesce to these half measures, then we don't really want reform. That is simply not true.

It seems to me that the Republicans and the President don't want real reform. They want window dressing and fresh paint instead of fixing the very foundation on which our policing system stands. They want to say that they did something without actually doing anything meaningful. They want to blame Democrats for holding out for real justice and refusing to play these political games with people's lives.

The House is going to pass the Justice in Policing Act on Thursday. I urge Senator MCCONNELL to take up that bill so that we can have the meaningful conversation on police reform our constituents and the Nation are demanding.

We know that reform can work. Camden, NJ, offers us concrete evidence about what we can accomplish when we get serious about making real changes. With one of the highest murder rates in the Nation, excessive force complaints were dramatically reduced, both in terms of homicides and excessive force issues.

So before I close, let me make perfectly clear the profound respect that I have for the men and women in law enforcement. Policing is a very tough job, and the vast majority of officers go out and perform their jobs every day with dignity and professionalism and care for the people in the communities in which they serve. I am deeply grateful for their service throughout the State of New Jersey and, indeed, throughout the Nation. These officers, who do their jobs with dignity and respect for the people they serve, share our demands

for real change. In fact, in Camden itself, a White chief of police joined with hundreds of protesters who were marching for change.

Across the country, tens of thousands of Americans did not brave a pandemic and endure being shot at with rubber bullets and tear gas just so that Congress could create another commission and mandate another report. They demand that their elected officials in Washington meet this moment in history and actually do something that lives up to the American promise of a nation where every man and woman, regardless of their race, ethnicity, gender, or orientation, is treated equally—equally under the law.

I will just close by saying that the Nation will rue the day it answered the call for reform with business as usual. There will be a rude awakening. Who among us—who among us, if this were our daily experience, would be satisfied with the counsels of patience and delay? Who among us?

The American people are calling for real justice. We should listen. We should act, and we should deliver real justice.

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

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

#### PROTESTS

Mr. RUBIO. Mr. President, Mr. Floyd's horrific murder at the hands of a man sworn to uphold the law, our Nation has seen justified anger. As I said here 2 weeks ago, it is a moment that calls for not just police reform, it calls for a full reckoning with racial inequities that still plague our Nation.

There is, in my mind, nothing more un-American than racial discrimination. Our Nation was founded on the revolutionary truth that every human being is created equal and that our rights do not come from our government or from our leaders or even our laws; our rights come from our Creator.

It is true that the man who authored these words and gave birth to the young Nation did not fully live up to these principles, but it is also true that every single great fight for equality in this country's history has come from a direct appeal to those powerful principles. Slavery, segregation, discriminatory impediments to voting—all of these came to an end, not from efforts to overthrow our values but from demands that we fulfill them, for these evils could not exist in a country, in a nation, built upon the idea that all people are created equal with rights granted to them by God.

Slavery and racial discrimination are, indeed, a tragic part of our history, but the long and the steady and

the perpetual march toward equality, that is part of our heritage as well.

Today, a new generation of Americans is reminding us that while we have traveled far on the quest for a more perfect Union, the final miles of that journey still lie ahead. The overwhelming and vast majority of these Americans on our streets are peacefully reminding us that, yes, Black lives matter. They are not asking that we destroy America; they are demanding that we be more American; that we more fully become a nation with liberty and justice for all. But it is now also clear that there are others with a different agenda who have taken to our streets as well.

They are the ones who argue that because the men who wrote our Declaration of Independence and our Constitution were imperfect and, in some cases, racists, that the Nation their words gave birth to is beyond redemption; that America cannot be improved or saved; and that therefore it must come to an end.

These radical views are not new. From the crazy professor whom no one took seriously to the nut job running for office with no chance of winning, they have operated on the fringes of our politics for decades. The difference is that, in recent years, they have begun to move out from the fringes, and now these radicals are capitalizing on a legitimate movement to force their madness even further into the mainstream. Now their violence, their vandalism, their anarchy are excused, tolerated, sometimes even celebrated by some, and their radical agenda is shielded, increasingly, from scrutiny by an emerging speech code that condemns as hate speech and as racism any criticism of these anti-lynching American radicals.

The self-proclaimed guardians of free speech in media now apologize for printing the opinions of a U.S. Senator and actively cajoled tech companies to censor conservative voices. Social media companies, which owe their very existence to freedom of expression, now threaten to block the accounts of American politicians in publications here at home, while eagerly complying with the demands of totalitarian racist regimes abroad.

Online mobs not only decide what is acceptable speech but are empowered to destroy the reputation and career of anyone they believe has violated their standards. Celebrities and large corporations are so eager to proactively shield themselves from being canceled that they raise money to bail out arsonists, but they do not raise a single cent to help the small business owners, oftentimes minorities themselves, whose life work was looted and burned to the ground by the radicals.

This radicalism, this anarchy, isn't just annoying; it is destructive, and it is dangerous. It is destructive to bedrock institutions in our country and their legitimacy in the eyes of our people.

Why would people trust public health experts who told them they had to lose their job or their business, that their kids couldn't have a graduation, that their grandmother couldn't have a funeral but are afraid to say anything about crowds of people setting fires and looting businesses?

Why would people trust local leaders who will close your business for having too many customers or threaten to arrest you for going to a park or to a church but who stand by and do nothing when a mob vandalizes a monument, tears down a statue, or takes over an entire section of a city?

Why would people trust the media that will shame them for going to the beach, for not wearing a mask in public but portrays a mob of White anarchists attacking African-American police officers as just frustrated racial justice activists?

This radicalism is also dangerous because, if it is OK for a violent mob to tear down a statue, then what is to stop another violent mob from showing up to defend it? If it is OK to set a police car on fire, what is going to stop someone upset at activist judges from burning down a courtroom? Where does it end? It will not end because there is no way to satisfy radicals who only seek destruction.

Just ask a clergy at the historical St. John's Episcopal Church. Three weeks ago, they expressed their support for and solidarity with the protesters, even after some agitator tried to burn down the church. Last night, radicals vandalized their church, calling for an autonomous zone here in Washington.

Just ask the mayor of Seattle. Just a few days ago on national TV, she was saying that the so-called autonomous zone in her city would lead to a "summer of love." Now they have announced that they are going to move in and retake the area after multiple people were shot over the weekend.

The anti-American radicals don't care about racial equality, and they will not stop as long as everyone is afraid to call them out for who and for what they are. As long as we fail to point out that those seeking racial equality and these radicals are not the same people; that the people committing this violence and carrying out this anarchy and this chaos are not the same people as the people who are rightfully asking for us to address racial inequality, as long as we fail to point that out, they will continue to hide behind this important and legitimate movement.

It is time we stop—we stop being afraid to express the common sense of Americans of every race, of every background. Yes, we must address racial inequality. Yes, Black lives must matter. But the vandalism, the arson, and the anarchy on our streets have nothing to do with this important cause.

Yes, some police departments need to be reformed, and bad police officers need to be fired. And if they committed crimes, they need to be arrested, and

they need to be prosecuted. But, no, we are not going to abolish or defund police departments.

Yes, racial disparities must be acknowledged, and they must be addressed but not by giving in to a bunch of crazy radicals who hate and want to destroy this country of ours. This is what the overwhelming majority of Americans of every race and background believe, and this is what so many are afraid to say for fear of being destroyed by an online mob and their accomplices.

For over 200 years, each generation of America has moved us ever closer to fulfilling the powerful truths upon which this Nation was founded. Now it is our turn to do the same, not by destroying America but by becoming more fully American, not by abandoning our founding principles but by moving us closer to becoming the one Nation under God with liberty and justice for all that we have pledged our allegiance to.

I yield the floor.

I suggest the absence of a quorum.

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

The 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.

## LEGISLATIVE SESSION

### MORNING BUSINESS

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to legislative session for a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

### NOMINATION OF CORY T. WILSON

Mrs. FEINSTEIN. Mr. President, I rise today in opposition to the nomination of Cory Wilson to a Mississippi seat on the Fifth Circuit. Judge Wilson has a troubling record on a number of critically important issues. That record makes clear Judge Wilson is far outside of the judicial mainstream. I believe that record is and should be disqualifying.

First, Judge Wilson has a long record of working to undermine voting rights. He has been a longtime proponent of voter ID laws—which disproportionately harm communities of color, students, voters with disabilities, and the elderly—and has made false claims about the prevalence of voter fraud.

He has likewise expressed opposition to enforcement of the Voting Rights Act and has made unsubstantiated claims that voter suppression is nonexistent. As I have noted before, Judge Wilson's troubling record on voting

rights is highly relevant to his nomination. The Fifth Circuit is a majority-minority circuit; 55 percent of those who live in the circuit are people of color. The Senate should not confirm a nominee who would work to further restrict the right to vote from the bench.

Second, Judge Wilson has been a staunch opponent of the Affordable Care Act. He referred to the ACA's passage as "perverse" and "illegitimate." He called upon the Supreme Court to strike down the law, writing: "For the sake of the Constitution, I hope the Court strikes down the law and reinvigorates some semblance of the limited government the Founders intended."

As of June 22, more than 120,000 Americans have died from COVID-19, and nearly 2.3 million have been infected. Now is not the time to advance a judicial nominee whose opposition to the ACA would strip tens of millions of Americans of healthcare, including those with preexisting conditions.

Third, Judge Wilson has made extreme partisan comments that call into question his ability to rule fairly and impartially. In op-eds in a Mississippi newspaper, he likened President Obama to "a fit-throwing teenager" and called him "King Barack" and "President Make-Believe." In tweets that he has kept public even while serving as a State court judge, Judge Wilson called Hillary Clinton "Crooked Clinton" and said she was "criminal and clueless." He also called Congresswoman ALEXANDRIA OCASIO-CORTEZ a "claptrap." The Senate should not confirm a nominee who cannot be trusted to put aside extreme partisanship to rule in an unbiased and impartial manner.

Fourth, Judge Wilson has sought to undermine the rights of LGBT Americans. In 2016, while serving in the Mississippi legislature, Judge Wilson supported HB 1523, a bill providing legal cover for businesses to deny services to individuals on the basis of their sexual orientation. In a 2012 op-ed, Judge Wilson argued that "gay marriage is a pander to liberal interest groups and an attempt to cast Republicans as intolerant, uncaring and even bigoted." Judge Wilson's past support for anti-LGBT legislation and his comments demeaning the fight for marriage equality raise questions about his ability to rule objectively on any case implicating LGBT rights.

Finally, Judge Wilson has been an ardent opponent of women's reproductive rights, making it abundantly clear that he supports "the complete and immediate reversal of the Roe v. Wade and Doe v. Bolton decisions."

Judge Wilson will be the 200th Article III judge appointed by this President and confirmed by this Senate. Unfortunately, Judge Wilson's record of hostility to voting rights, the ACA, the rights of LGBT Americans, and women's reproductive rights is not unique to him. In fact, it is clear that so many of this administration's judicial nominees have been selected precisely because of those viewpoints. This is not

something to celebrate. After all, those who have gained healthcare because of the ACA deserve the security of knowing their coverage is not at risk from the Federal judiciary.

And those who seek to vindicate their rights—to vote, to make their own reproductive healthcare decisions, and to be free from discrimination on the basis of sexual orientation or gender identity—deserve a judiciary that will rule fairly and impartially.

I will vote against Judge Wilson's nomination, and I urge my colleagues to do the same. Thank you.

#### ADDITIONAL STATEMENTS

##### REMEMBERING ED PINEGAR

• Mr. BLUNT. Mr. President, I want to spend a few moments talking about a man who has been one of my closest friends for a long time. Springfieldian Ed Pinegar passed away on May 23, 2020, at the age of 74. He was the kind of person that many people will remember as one of their best friends.

Ed loved his family, his church, and his community. He grew up in Willard, attended Missouri State University, and became one of the most successful auto and truck dealers in the middle of our country. Never forgetting his rural roots, he eventually established Pinegar Land and Cattle and became the leading breeder of Limousin Cattle in North America. As with everything he did, this was an extremely successful business.

Ed never forgot where he was from. For the last several years, one of my favorite things was to go to Ed's farm with him early in the morning to see what his plans were for the farm and catch up on what was happening with the business and his family and friends. I will miss those visits, but I am so glad to have shared those times with Ed.

Ed's life of service is too long to list, as are the recognitions he received along the way. He served on the Missouri State University board of governors and their board of trustees, was inducted into the Missouri Limousin Breeders Association Hall of Fame, honored by the Ozark Empire Fair Ground Gold Buckle Gala for his dedication to youth, and with his wife Carol received the outstanding Willard Alumni Award. He recently received the 2019 AFP Outstanding Philanthropist of the Year Award.

Ed was dedicated to his family, his community, athletics, and his faith. He was a loyal friend with a great sense of humor and an even better perspective on life. He was a devoted Christian, active in his church, and used the blessings of his work to invest in the places and people he loved. He was generous in his giving and generous in spirit. The Pinegar Arena is an indoor horse center and classroom that is part of Missouri State's agricultural center. This is one of many examples of how Ed gave of his time and resources investing in people and things to help others.

Much too soon, Ed suffered a stroke, which took a serious toll on his health and quality of life. Abby and I were encouraged by his early recovery from those challenges and inspired by his family's dedication to him as each of them, with Carol in the lead, loved and cared for him. Much of his legacy will continue to live on through Carol and their children Angela, Tad, Amy, and Abigail. Ed also leaves behind nine grandchildren, who were lucky enough to spend time with their grandfather who, despite his busy schedule, prioritized games, events, and school performances.

I am grateful to have known Ed Pinegar and thankful for his impact on my own life and that of those who knew him.●

#### PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-205. A concurrent resolution adopted by the Legislature of the State of Louisiana urging the United States Congress to fully fund the Corporation for National and Community Service (CNCS) and its programs in fiscal year 2021; to the Committee on Health, Education, Labor, and Pensions.

##### SENATE CONCURRENT RESOLUTION NO. 54

Whereas, the President's 2021 federal budget proposal eliminates 99% of the funding to the Corporation for National and Community Service which would remove funding for Louisiana's LaVetCorps program and similar programs across the states of Washington and Rhode Island, in addition to, all other AmeriCorps programs across this state, including Teach for America, VISTA, City Year, and Foster Grandparents; and

Whereas, the LDVA, in partnership with the Office of Governor, Louisiana Board of Regents, Louisiana Community and Technical College System (LCTCS), University of Louisiana System, LSU System, and Southern University System operates thirty LaVetCorps program veteran resource centers on campuses across the state, encompassing all four Louisiana public college systems and Xavier University of Louisiana; and

Whereas, the mission of the LaVetCorps is to empower veterans, families, and campus communities to help veterans returning from active duty military service to successfully transition home to college and their local community; and

Whereas, the centers assisted more than eight thousand student veterans in successfully transitioning from active duty to complete their college curriculum and return home; and

Whereas, at each LaVetCorps veteran resource center, an LDVA-trained LaVetCorps navigator, who is also an AmeriCorps service member, serves as a peer mentor/counselor to student veterans in transition, works to increase student veterans' access to their earned federal and state benefits, works to build a vibrant on-campus veteran community, provides training and support to college faculty, staff, and administration to increase awareness of student veterans' needs and veteran culture, and organize community service projects benefitting both on- and off-campus veterans; and

Whereas, the impact of the LaVetCorps program is significant, providing practical assistance in life-changing ways as in the current year, LaVetCorps navigators have served more than two thousand veterans and military-connected students, with more than one hundred of these referrals directly connecting to earned federal VA benefits; and

Whereas, LaVetCorps navigators have provided direct assistance through the LDVA and outside community agencies that has prevented evictions, prevented unnecessary student debt and provided critical immediate support for veteran students in crisis; and

Whereas, LaVetCorps has raised military awareness on campuses statewide while providing peer mentoring and has been responsible for organizing more than two hundred volunteers in various community service projects around the state; and

Whereas, LaVetCorps is viewed by higher education officials as an essential investment in veteran students and navigators provide a critical level of support to recruit, retain, and support veterans in their academic and personal journeys: Now, therefore be it

*Resolved*, That the Legislature of Louisiana memorializes the Congress of the United States to fully fund the Corporation for National and Community Service (CNCS) and its programs in FY 2021; and be it further

*Resolved*, That a copy of this Resolution be transmitted to the secretary of the United States Senate and the clerk of the United States House of Representatives and to each member of the Louisiana delegation to the United States Congress.

POM-206. A resolution adopted by the Mayor and City Council of the City of Gautier, Mississippi relative to assessments on tenants, owners, or occupiers of the Singing River Mall site; to the Committee on Environment and Public Works.

POM-207. A petition from a citizen of the State of Texas relative to a constitutional amendment on the subject and wording of bills or resolutions; to the Committee on the Judiciary.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. WICKER, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 1640. A bill to require compliant flame mitigation devices to be used on portable fuel containers for flammable liquid fuels, and for other purposes (Rept. No. 116-235).

By Mr. INHOFE, from the Committee on Armed Services, without amendment:

S. 4049. An original bill to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. DAINES (for himself and Ms. SINEMA):

S. 4035. A bill establish and provide for the use of amounts in a Trail Stewardship for Economic Recovery Fund, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. BRAUN:

S. 4036. A bill to amend the Revised Statutes to reform the defense of qualified immunity in the case of any action under section 1979, and for other purposes; to the Committee on the Judiciary.

By Mrs. LOEFFLER:

S. 4037. A bill to amend the Fair Credit Reporting Act to protect the credit of patients with substantial medical bills; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BOOKER (for himself and Mrs. CAPITO):

S. 4038. A bill to direct the Secretary of Energy to establish a grant program for tree planting to reduce residential energy consumption; to the Committee on Energy and Natural Resources.

By Mrs. LOEFFLER:

S. 4039. A bill to amend the Internal Revenue Code of 1986 to make permanent the permissible first-dollar coverage of telehealth services for purposes of health savings accounts; to the Committee on Finance.

By Mrs. LOEFFLER:

S. 4040. A bill to amend chapter 44 of title 18, United States Code, to protect the rights of citizens under the Second Amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. CORNYN (for himself, Mr. BARASSO, Mr. CRAMER, Ms. MURKOWSKI, Mr. INHOFE, Mrs. HYDE-SMITH, Mr. CASSIDY, Mr. LANKFORD, Mrs. CAPITO, Mr. WICKER, and Mr. KENNEDY):

S. 4041. A bill to assist the American energy sector in retaining jobs during challenging economic times; to the Committee on Finance.

By Mr. MERKLEY (for himself, Mr. BLUMENTHAL, Mr. SANDERS, Ms. HARRIS, Ms. WARREN, and Mr. LEAHY):

S. 4042. A bill to protect agricultural workers from the impacts of the coronavirus pandemic, and for other purposes; to the Committee on Finance.

By Mrs. FEINSTEIN (for herself, Mr. CORNYN, Ms. CORTEZ MASTO, Mr. BLUMENTHAL, Mr. MARKEY, and Ms. ROSEN):

S. 4043. A bill to require the Secretary of Defense to develop a comprehensive database and repository on military aviators and conduct a study on such aviators to determine the incidence of cancer diagnosis and mortality among such aviators, and for other purposes; to the Committee on Armed Services.

By Mrs. MURRAY:

S. 4044. A bill to improve the provision of financial literacy training and information relating to the Blended Retirement System to members of the Armed Forces, and for other purposes; to the Committee on Armed Services.

By Mrs. FEINSTEIN (for Mr. MARKEY (for himself and Mrs. FEINSTEIN)):

S. 4045. A bill to reduce and eliminate threats posed by nuclear weapons to the United States, and for other purposes; to the Committee on Foreign Relations.

By Mr. MERKLEY (for himself, Mr. WYDEN, Mr. BOOKER, Ms. WARREN, Mr. HEINRICH, and Mrs. FEINSTEIN):

S. 4046. A bill to direct the Administrator of the Environmental Protection Agency to establish a program to award grants to eligible entities to purchase, and as applicable install, zero emissions port equipment and technology, and for other purposes; to the Committee on Environment and Public Works.

By Ms. HARRIS (for herself, Mrs. GILLIBRAND, Mr. WYDEN, Mr. MARKEY, Ms. KLOBUCHAR, Ms. WARREN, Ms. DUCKWORTH, and Mr. REED):

S. 4047. A bill to permit the Secretary of the Treasury to provide direct funding to

certain entities; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. HARRIS (for herself and Mr. SCHATZ):

S. 4048. A bill to modify the deadlines for completing the 2020 decennial census of population and related tabulations, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. INHOFE:

S. 4049. An original bill to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; from the Committee on Armed Services; placed on the calendar.

By Ms. DUCKWORTH (for herself, Mr. VAN HOLLEN, and Mr. KING):

S. 4050. A bill to require the Secretary of Health and Human Services to use authorities under the Defense Production Act of 1950 to prioritize contracts necessary to promote pandemic preparedness and response, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. GRAHAM (for himself, Mr. COTTON, and Mrs. BLACKBURN):

S. 4051. A bill to improve the ability of law enforcement agencies to access encrypted data, and for other purposes; to the Committee on the Judiciary.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. GRAHAM:

S. Res. 636. A resolution recognizing the 75th anniversary of the commencement of continuous operations of the Stars and Stripes newspaper in the Pacific and the invaluable service of the Stars and Stripes as the "hometown newspaper" for members of the Armed Forces, civilian employees, and family members stationed across the globe; to the Committee on the Judiciary.

By Mr. RUBIO (for himself, Mr. MENENDEZ, and Mr. SCOTT of Florida):

S. Res. 637. A resolution commemorating the 35th anniversary of United States broadcasting to Cuba; to the Committee on Foreign Relations.

By Mrs. LOEFFLER:

S. Con. Res. 40. A concurrent resolution expressing the sense of Congress that undue restrictions on the right of law-abiding gun owners to carry a firearm for self-defense outside of the home violate the Second Amendment to the Constitution of the United States; to the Committee on the Judiciary.

#### ADDITIONAL COSPONSORS

S. 123

At the request of Ms. ERNST, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 123, a bill to require the Secretary of Veterans Affairs to enter into a contract or other agreement with a third party to review appointees in the Veterans Health Administration who had a license terminated for cause by a State licensing board for care or services rendered at a non-Veterans Health Administration facility and to provide individuals treated by such an appointee with notice if it is determined that an

episode of care or services to which they received was below the standard of care, and for other purposes.

S. 159

At the request of Mr. PAUL, the name of the Senator from Georgia (Mrs. LOEFFLER) was added as a cosponsor of S. 159, a bill to implement equal protection under the 14th Amendment to the Constitution of the United States for the right to life of each born and preborn human person.

S. 631

At the request of Mr. CARPER, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 631, a bill to provide for the admission of the State of Washington, D.C. into the Union.

S. 1273

At the request of Mr. KENNEDY, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 1273, a bill to amend title 17, United States Code, to establish an alternative dispute resolution program for copyright small claims, and for other purposes.

S. 1781

At the request of Mr. RUBIO, the name of the Senator from Colorado (Mr. GARDNER) was added as a cosponsor of S. 1781, a bill to authorize appropriations for the Department of State for fiscal years 2020 through 2022 to provide assistance to El Salvador, Guatemala, and Honduras through bilateral compacts to increase protection of women and children in their homes and communities and reduce female homicides, domestic violence, and sexual assault.

S. 1938

At the request of Ms. DUCKWORTH, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 1938, a bill to provide for grants for States that require fair and impartial police training for law enforcement officers of that State and to incentivize States to enact laws requiring the independent investigation and prosecution of the use of deadly force by law enforcement officers, and for other purposes.

S. 1944

At the request of Mr. BLUMENTHAL, the name of the Senator from Nevada (Ms. ROSEN) was added as a cosponsor of S. 1944, a bill to fully fund the Prevention and Public Health Fund and reaffirm the importance of prevention in the United States healthcare system.

S. 2233

At the request of Ms. CORTEZ MASTO, her name was added as a cosponsor of S. 2233, a bill to nullify the effect of the recent executive order that requires Federal agencies to share citizenship data.

S. 2585

At the request of Ms. ERNST, the name of the Senator from Georgia (Mrs. LOEFFLER) was added as a cosponsor of S. 2585, a bill to amend title XIX of the Social Security Act and Public

Health Service Act to improve the reporting of abortion data to the Centers for Disease Control and Prevention, and for other purposes.

S. 2715

At the request of Mr. BLUNT, the names of the Senator from Iowa (Ms. ERNST) and the Senator from Maryland (Mr. CARDIN) were added as cosponsors of S. 2715, a bill to develop and implement policies to advance early childhood development, to provide assistance for orphans and other vulnerable children in developing countries, and for other purposes.

S. 2920

At the request of Ms. ERNST, the name of the Senator from Georgia (Mrs. LOEFFLER) was added as a cosponsor of S. 2920, a bill to reauthorize the Violence Against Women Act of 1994, and for other purposes.

S. 3350

At the request of Mr. TESTER, the name of the Senator from New Hampshire (Ms. HASSAN) was withdrawn as a cosponsor of S. 3350, a bill to amend title XVIII of the Social Security Act to deem certain State Veterans homes meeting certain health and safety standards as meeting conditions and requirements for skilled nursing facilities under the Medicare and Medicaid programs.

S. 3489

At the request of Mrs. MURRAY, the names of the Senator from Ohio (Mr. BROWN), the Senator from New Hampshire (Ms. HASSAN), the Senator from Wisconsin (Ms. BALDWIN), the Senator from Oregon (Mr. MERKLEY), the Senator from Connecticut (Mr. MURPHY), the Senator from New Jersey (Mr. BOOKER), the Senator from Rhode Island (Mr. REED), the Senator from Virginia (Mr. KAINE), the Senator from Minnesota (Ms. SMITH), the Senator from Alabama (Mr. JONES), the Senator from Illinois (Mr. DURBIN), the Senator from Pennsylvania (Mr. CASEY), the Senator from Massachusetts (Ms. WARREN), the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from California (Ms. HARRIS) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of S. 3489, a bill to support children and students in responding to safety and health risks presented by qualifying emergencies, and for other purposes.

S. 3595

At the request of Ms. ROSEN, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 3595, a bill to require a longitudinal study on the impact of COVID-19.

S. 3703

At the request of Ms. COLLINS, the names of the Senator from Colorado (Mr. GARDNER), the Senator from Delaware (Mr. COONS) and the Senator from Arizona (Ms. SINEMA) were added as cosponsors of S. 3703, a bill to amend the Elder Abuse Prevention and Prosecution Act to improve the prevention of elder abuse and exploitation of individ-

uals with Alzheimer's disease and related dementias.

S. 3751

At the request of Mr. GRASSLEY, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 3751, a bill to amend the CARES Act to provide the Special Inspector General for Pandemic Recovery with additional personnel authorities, and for other purposes.

S. 3874

At the request of Mrs. MURRAY, the names of the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Connecticut (Mr. MURPHY), the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Ohio (Mr. BROWN), the Senator from Delaware (Mr. CARPER), the Senator from Maryland (Mr. CARDIN), the Senator from Maryland (Mr. VAN HOLLEN), the Senator from Illinois (Ms. DUCKWORTH), the Senator from Massachusetts (Mr. MARKEY), the Senator from Colorado (Mr. BENNETT), the Senator from California (Ms. HARRIS) and the Senator from Delaware (Mr. COONS) were added as cosponsors of S. 3874, a bill making additional supplemental appropriations for disaster relief requirements for the fiscal year ending September 30, 2020, and for other purposes.

S. 3876

At the request of Mr. SCOTT of South Carolina, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 3876, a bill to make a technical correction relating to the treatment of refunds of merchandise processing fees under the United States-Mexico-Canada Agreement Implementation Act.

S. 3963

At the request of Ms. HARRIS, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 3963, a bill to protect certain whistleblowers seeking to ensure accountability and oversight of the Nation's COVID-19 pandemic response, and for other purposes.

S. 3985

At the request of Mr. SCOTT of South Carolina, the name of the Senator from Pennsylvania (Mr. TOOMEY) was added as a cosponsor of S. 3985, a bill to improve and reform policing practices, accountability, and transparency.

S. 3990

At the request of Mrs. FISCHER, the name of the Senator from Georgia (Mr. PERDUE) was added as a cosponsor of S. 3990, a bill to amend the Consumer Financial Protection Act of 2010 to make the Bureau of Consumer Financial Protection an independent Financial Product Safety Commission, and for other purposes.

S. 4001

At the request of Mr. SCOTT of South Carolina, the names of the Senator from Georgia (Mrs. LOEFFLER) and the Senator from Maryland (Mr. CARDIN) were added as cosponsors of S. 4001, a

bill to amend title IX of the Social Security Act to improve emergency unemployment relief for governmental entities and nonprofit organizations.

S. 4012

At the request of Mr. WICKER, the name of the Senator from Colorado (Mr. GARDNER) was added as a cosponsor of S. 4012, a bill to establish a \$120,000,000,000 Restaurant Revitalization Fund to provide structured relief to food service or drinking establishments through December 31, 2020, and for other purposes.

S. 4019

At the request of Mr. CORNYN, the name of the Senator from Nebraska (Mr. SASSE) was added as a cosponsor of S. 4019, a bill to amend title 5, United States Code, to designate Juneteenth National Independence Day as a legal public holiday.

S. 4021

At the request of Mr. WICKER, the names of the Senator from Kansas (Mr. MORAN) and the Senator from Missouri (Mr. BLUNT) were added as cosponsors of S. 4021, a bill to accelerate rural broadband deployment.

S. RES. 613

At the request of Mr. COTTON, the name of the Senator from Georgia (Mrs. LOEFFLER) was added as a cosponsor of S. Res. 613, a resolution calling for justice for George Floyd and opposing calls to defund the police.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. FEINSTEIN (for herself, Mr. CORNYN, Ms. CORTEZ MASTO, Mr. BLUMENTHAL, Mr. MARKEY, and Ms. ROSEN):

S. 4043. A bill to require the Secretary of Defense to develop a comprehensive database and repository on military aviators and conduct a study on such aviators to determine the incidence of cancer diagnosis and mortality among such aviators, and for other purposes; to the Committee on Armed Services.

Mrs. FEINSTEIN. Mr. President, I rise to speak in support of the "Military Aviators Cancer Incidence Study Act," which I introduced today.

This legislation would require the Department of Defense to conduct a study to determine if there is a higher incidence of cancers occurring in military aviators as compared to similar age groups in the general population.

It has been reported that the prevalence of cancer is particularly high among military aviators, particularly among fighter pilots in the United States Air Force, Navy, and Marine Corps.

There have been several alarming clusters of cancer diagnoses at military installations, including at Naval Air Weapons Station China Lake in California and Seymour Johnson Air Force Base in North Carolina.

Four commanding officers who served at Naval Air Weapons Station

China Lake have died of cancer. Each officer had completed thousands of flight hours in advanced jets.

According to a study by the U.S. Air Force in 2008 titled "Cancer in Fighters," six pilots and weapons systems officers for the F-15E Strike Eagle at Seymour Johnson Air Force Base, aged 33 to 43, were diagnosed with cancer between 2002 and 2005. Each officer had completed at least 2,100 flight hours.

A study by the U.S. Air Force in 2010 reported on a cluster of seven members of the Air Force Special Operations Command diagnosed with brain cancer among crew members of the C-130 between 2006 and 2009. The individuals affected were three C-130 pilots, two flight engineers, one loadmaster, and one navigator assigned to different installations around the world.

And yet, there has been no comprehensive study conducted of cancer rates among military aviators.

One challenge of extracting findings from previous studies by the Navy or the Air Force on cancer rates is that each study focused on pilots who are active duty members of the Armed Forces and did not include the medical records of former pilots who are veterans, which is the population in which cancer most often appears.

Members of the Armed Forces who serve full military careers are not likely to be counted in data captured by the Department of Veterans Affairs. Members who served 20 years or more are eligible for health care under the TRICARE program, which is managed by the Department of Defense.

Also, many members pursue private sector jobs after separating from the Armed Forces and receive health care outside of the Federal Government. Those factors have made it difficult to see if the health issues that families of military aviators are experiencing are part of larger trend.

#### HOW THE BILL WOULD HELP

Our bill would require the Department of Defense in conjunction with the National Institutes of Health, the National Cancer Institute, and the Department of Veterans Affairs to conduct a study across the United States Air Force, Navy, and Marine Corps to determine whether there is a higher incidence of cancers occurring among military aviators as compared to similar age groups in the general population.

If the study determines a higher rate of cancer among military aviators, the Department of Defense would then move into a second phase of the study and report to Congress on the following:

Carcinogens associated with military flight operations;

The operating environments where aviators might have been exposed to increased radiation;

Duty stations, dates of service, aircraft flown, and additional duties that could have increased the risk of cancer for each affected military aviator;

Locations where a military aviator served or additional duties of a mili-

tary aviator associated with higher incidences of cancer;

Potential exposures due to service in the Armed Forces that are not related to aviation, such as exposure to burn pits or toxins in contaminated water; and

The appropriate age to begin screening military aviators for cancer based on several variables.

#### CONCLUSION

Military aviators take enough risks while serving our country without also having to worry about contracting cancer from radiation exposure.

The high prevalence of cancer among these pilots is deeply concerning, particularly the clusters of cases at China Lake.

We must determine why these aviators are getting cancer and if their jobs are exposing them to dangerous carcinogens.

The study is an important step to help us understand what is happening and how we can better protect our military men and women. I hope my colleagues will join me in support of this bill.

Thank you Mr. President. I yield the floor.

#### SUBMITTED RESOLUTIONS

SENATE RESOLUTION 636—RECOGNIZING THE 75TH ANNIVERSARY OF THE COMMENCEMENT OF CONTINUOUS OPERATIONS OF THE STARS AND STRIPES NEWSPAPER IN THE PACIFIC AND THE INVALUABLE SERVICE OF THE STARS AND STRIPES AS THE "HOMETOWN NEWSPAPER" FOR MEMBERS OF THE ARMED FORCES, CIVILIAN EMPLOYEES, AND FAMILY MEMBERS STATIONED ACROSS THE GLOBE

Mr. GRAHAM submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 636

Whereas May 14, 2020, marks the 75th anniversary of the commencement of continuous operations, in service to the military community of the United States, of Stars and Stripes in the Pacific, a military newspaper established in Honolulu to provide an independent, uncensored news source for members of the Armed Forces fighting in World War II;

Whereas Stars and Stripes was heralded for indispensable service when it was initially established during the Civil War and again during World War I, when General John J. Pershing reestablished Stars and Stripes to provide news and information as an important morale-building force for soldiers serving in the American Expeditionary Force;

Whereas, after its permanent formation in World War II, Stars and Stripes started printing in Tokyo, Japan, on October 3, 1945, working in requisitioned space formally occupied by the Japan Times, and excelled in its mission across every theater of war, leading President Harry S. Truman to say later, "In Africa, Europe and the Pacific, The Stars and Stripes has established itself as a cherished and important soldier's institution.";



Whereas Stars and Stripes has continuously covered news “about the military, for the military” in conflicts from World War II to Korea to Vietnam to Bosnia and Kosovo to Iraq and Afghanistan; and

Whereas, while readership of newspapers has declined in recent years and technology has evolved, Stars and Stripes has innovated in finding new ways and products to deliver the “hometown news” to the broadest portion of the military community, and through internet versions of the newspaper, social media, and other products, Stars and Stripes is now reaching 1,300,000 readers each day: Now, therefore, be it

*Resolved*, That the Senate, on the occasion of the 75th anniversary of the commencement of continuous operations of Stars and Stripes in the Pacific—

(1) commemorates this important milestone in the history of an important institution of the United States; and

(2) congratulates and honors the men and women of Stars and Stripes, past and present, who have so diligently served the United States military community.

#### SENATE RESOLUTION 637—COMMEMORATING THE 35TH ANNIVERSARY OF UNITED STATES BROADCASTING TO CUBA

Mr. RUBIO (for himself, Mr. MENENDEZ, and Mr. SCOTT of Florida) submitted the following resolution; which was referred to the Committee on Foreign Relations.:

S. RES. 637

Whereas the Radio Broadcasting to Cuba Act (Public Law 98-111) passed by a wide margin in the House of Representatives on September 29, 1983, and passed unanimously by voice vote in the Senate on September 12, 1983;

Whereas, upon signing the Radio Broadcasting to Cuba Act into law on October 4, 1983, President Ronald Reagan said that the law “responds to an important foreign policy initiative of my administration: to break Fidel Castro’s monopoly on news and information within Cuba”, further explaining that the purpose of providing impartial news to the Cuban people was so that they “will be in a better position to make Cuba’s leaders accountable for their conduct in foreign policy, economic management, and human rights.”;

Whereas radio service into Cuba was named “Radio Martí” after renowned 19th century Cuban patriot Jose Martí;

Whereas, on May 20, 1985, the 83rd anniversary of Cuba’s Independence Day, Radio Martí began its first broadcast into Cuba;

Whereas, in 1990, Congress passed and President George H.W. Bush signed into law the Television Broadcasting to Cuba Act (Public Law 101-246), which expanded broadcasting to include television, and “Television Martí” commenced broadcasting later that year;

Whereas President William Jefferson Clinton signed into law the Omnibus Consolidated Rescissions and Appropriations Act of 1996 (Public Law 104-134), which required the relocation of the Office of Cuba Broadcasting from Washington, D.C., to South Florida;

Whereas the Office of Cuba Broadcasting was relocated to Miami, Florida in 1998, ahead of schedule and under budget;

Whereas United States broadcasts to Cuba were initiated to pierce the Castro regime’s information blockade and to provide timely, accurate, uncensored, and reliable information to the Cuban people;

Whereas the Office of Cuba Broadcasting at the United States Agency for Global Media

(USAGM) oversees Radio and Television Martí;

Whereas Radio and Television Martí are multimedia hubs of news, information, and analysis that provide the people of Cuba with interactive programs 7 days a week through satellite television, shortwave and AM radio, and digital platforms, including its website, flash drives, emails, DVDs, and SMS text;

Whereas Radio and Television Martí aim to inform and engage the people of Cuba by providing credible news and information rooted in respect for fundamental freedoms, democratic principles, and universal human rights;

Whereas the Office of Cuba Broadcasting facilitates critical technology services, allowing Cubans across provinces to connect, and linking Cuban pro-democracy activists with an expanding worldwide network of activists engaged in their own struggles for freedom and human rights in their respective countries;

Whereas, on July 14, 2011, independent journalist and former political prisoner Jose Daniel Ferrer said, “the particular stories, the news selected for *A Fondo* [a joint Voice of America and Radio Martí program], is what gives the show its quality, very professional. I listened to the show in prison on a daily basis.”;

Whereas Karen Caballero of Radio and Television Martí received the David Burke Award in 2012 for her inspired coverage of the “Lights of Liberty Flotilla”, a small group of boats with a mission to sail across the Florida Strait to bring attention to the solidarity between Cuban exiles and those on the island, and to the human rights abuses perpetrated by the regime in Cuba;

Whereas, on August 13, 2013, Afro-Cuban activist and former political prisoner Jorge Luis García-Pérez stated, “In the 17 years that I spent behind bars, Radio Martí was, at times, my ‘everything’. It was my lifeline.”; and

Whereas, in 2017, Television Martí’s “*Alas de Libertad*” (Wings of Freedom), which documented the activities of the Brigade 2506 Air Force division during the 1961 Bay of Pigs invasion, received the Suncoast Regional Emmy Award from The National Academy of Television Arts & Sciences: Now, therefore, be it

*Resolved*, That the Senate—

(1) celebrates the 35th anniversary of Radio Martí and the 30th anniversary of Television Martí;

(2) recognizes the vital role that independent broadcasting to Cuba has served in providing uncensored, reliable, and accurate information to the Cuban people for the past 35 years;

(3) honors the journalists, programming editors, technical support, and many other employees at Radio and Television Martí, administered through the Office of Cuba Broadcasting, who commit to high journalistic standards, tenacity, and providing unbiased, objective information to the Cuban people;

(4) remembers the deep and lasting contributions that the free flow of information, including broadcasting, to Cuba has provided to the Cuban people in bolstering Cuba’s pro-democracy movement; and

(5) reaffirms the importance of the United States strengthening policies in support of promoting democracy, promoting freedom of the press, and supporting the transmission of external, reliable, objective information to some of the most repressed parts of the world.

#### SENATE CONCURRENT RESOLUTION 40—EXPRESSING THE SENSE OF CONGRESS THAT UNDUE RESTRICTIONS ON THE RIGHT OF LAW-ABIDING GUN OWNERS TO CARRY A FIREARM FOR SELF-DEFENSE OUTSIDE OF THE HOME VIOLATE THE SECOND AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES

Mrs. LOEFFLER submitted the following concurrent resolution; which was referred to the Committee on the Judiciary:

S. CON. RES. 40

Whereas the Second Amendment to the Constitution of the United States (referred to in this preamble as the “Second Amendment”) states, “[a] well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.”;

Whereas the right to “bear Arms”, in plain language, means the right to carry arms;

Whereas, based on this plain language, the Second Amendment clearly provides individual citizens with a right to carry arms for the purpose of self-defense;

Whereas the Supreme Court of the United States has held that the Second Amendment is incorporated under the Fourteenth Amendment to the Constitution of the United States and thereby protects the right of an individual under the Second Amendment from infringement by State and local governments;

Whereas several States have enacted laws that unduly inhibit and infringe upon the rights of a law-abiding individual to carry a firearm outside of the home, unless the individual can demonstrate a special need to carry the firearm;

Whereas these State laws are inconsistent with the plain meaning of the right to bear arms and the rights granted to individuals by the Second Amendment; and

Whereas established Federal processes and procedures regulating the right to purchase and possess a firearm are sufficient to provide for the interests of public safety: Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring)*, That it is the sense of Congress that undue restrictions on the right of law-abiding gun owners to carry a firearm for self-defense outside of the home—

(1) violate both—

(A) the intent of the Founding Fathers, as expressed by James Madison in The Federalist No. 46; and

(B) the clear meaning of the Second Amendment to the Constitution of the United States “to keep and bear Arms”; and

(2) are unlawful infringements of the rights granted by the Second Amendment to the Constitution of the United States.

#### AUTHORITY FOR COMMITTEES TO MEET

Mr. CORNYN. Mr. President, I have 5 requests for committees to meet during today’s session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today’s session of the Senate:



COMMITTEE ON BANKING, HOUSING, AND URBAN  
AFFAIRS

The Committee on Banking, Housing, and Urban Affairs is authorized to meet during the session of the Senate on Tuesday, June 23, 2020, at 2:30 p.m., to conduct a hearing.

COMMITTEE ON HEALTH, EDUCATION, LABOR,  
AND PENSIONS

The Committee on Health, Education, Labor, and Pensions is authorized to meet during the session of the Senate on Tuesday, June 23, 2020, at 10 a.m., to conduct a hearing.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Tuesday, June 23, 2020, at 2:30 p.m., to conduct a hearing.

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Tuesday, June 23, 2020, at 2:30 p.m., to conduct a closed hearing.

SUBCOMMITTEE ON REGULATORY AFFAIRS AND  
FEDERAL MANAGEMENT

The Subcommittee on Regulatory Affairs and Federal Management of the Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Tuesday, June 23, 2020, at 2:30 p.m., to conduct a hearing.

WORLD ELDER ABUSE  
AWARENESS DAY

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration and the Senate now proceed to S. Res. 621.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 621) designating June 15, 2020, as "World Elder Abuse Awareness Day."

There being no objection, the committee was discharged, and the Senate proceeded to consider the resolution.

Mr. McCONNELL. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table.

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

The resolution (S. Res. 621) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of June 15, 2020, under "Submitted Resolutions.")

ORDERS FOR WEDNESDAY, JUNE  
24, 2020

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Wednesday, June

24; 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 to resume consideration of the Wilson nomination and that the time until 11:30 a.m. be equally divided between the two leaders or their designees; that further notwithstanding rule XXII, I ask unanimous consent that the postcloture time on the Wilson nomination expire at 11:30 a.m. tomorrow; finally, that if confirmed, I ask that with respect to the Wilson nomination, 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.

ADJOURNMENT UNTIL 10 A.M.  
TOMORROW

Mr. McCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 5:38 p.m., adjourned until Wednesday, June 24, 2020, at 10 a.m.

# Daily Digest

## Senate

### Chamber Action

*Routine Proceedings, pages S3131–S3160*

**Measures Introduced:** Seventeen bills and three resolutions were introduced, as follows: S. 4035–4051, S. Res. 636–637, and S. Con. Res. 40. **Page S3156**

#### Measures Reported:

S. 1640, to require compliant flame mitigation devices to be used on portable fuel containers for flammable liquid fuels, with an amendment in the nature of a substitute. (S. Rept. No. 116–235)

S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year.

**Page S3156**

#### Measures Passed:

**World Elder Abuse Awareness Day:** Committee on the Judiciary was discharged from further consideration of S. Res. 621, designating June 15, 2020, as “World Elder Abuse Awareness Day”, and the resolution was then agreed to. **Page S3160**

**Wilson Nomination—Agreement:** Senate continued consideration of the nomination of Cory T. Wilson, of Mississippi, to be United States Circuit Judge for the Fifth Circuit. **Pages S3132–40, S3140–54**

A unanimous-consent-time agreement was reached providing for further consideration of the nomination, post-cloture, at approximately 10 a.m. on Wednesday, June 24, 2020; that the time until 11:30 a.m. be equally divided between the two Leaders or their designees; and that notwithstanding Rule XXII, the post-cloture time on the nomination expire at 11:30 a.m. **Page S3160**

**Petitions and Memorials:** **Pages S3155–56**

**Additional Cosponsors:** **Pages S3156–58**

**Statements on Introduced Bills/Resolutions:** **Page S3158**

**Additional Statements:** **Page S3155**

**Authorities for Committees to Meet:** **Pages S3159–60**

**Adjournment:** Senate convened at 10 a.m. and adjourned at 5:38 p.m., until 10 a.m. on Wednesday, June 24, 2020. (For Senate’s program, see the remarks of the Majority Leader in today’s Record on page S3160.)

### Committee Meetings

*(Committees not listed did not meet)*

#### EXPORT-IMPORT BANK

*Committee on Banking, Housing, and Urban Affairs:* Committee concluded an oversight hearing to examine the Export-Import Bank of the United States, after receiving testimony from Kimberly A. Reed, President and Chairman of the Board of Directors, Export-Import Bank of the United States.

#### IMPROVING PUBLIC SERVICE

*Committee on Homeland Security and Governmental Affairs:* Subcommittee on Regulatory Affairs and Federal Management concluded a hearing to examine improving public service, focusing on a review of recommendations made by the National Commission on Military, National, and Public Service, after receiving testimony from former Representative Joseph J. Heck, Chairman, and Shawn Skelly, Commissioner, both of the National Commission on Military, National, and Public Service.

#### COVID–19

*Committee on Health, Education, Labor, and Pensions:* Committee concluded a hearing to examine COVID–19, focusing on lessons learned to prepare for the next pandemic, after receiving testimony from former Senator Bill Frist; former Utah Governor Michael O. Leavitt, Salt Lake City; Joneigh S. Khaldun, Michigan Department of Health and Human Services, Lansing; and Julie L. Gerberding, Merck and Co., Inc., Kentilworth, New Jersey.

**FOREIGN SOVEREIGN IMMUNITIES ACT  
AND CORONAVIRUS**

*Committee on the Judiciary:* Committee concluded a hearing to examine the Foreign Sovereign Immunities Act, focusing on coronavirus and addressing China's culpability, after receiving testimony from Lynn Fitch, Mississippi Attorney General, Jackson; Russell A. Miller, Washington and Lee University School of

Law, Lexington, Virginia; and Chimene Keitner, University of California Hastings College of the Law, San Francisco.

**INTELLIGENCE**

*Select Committee on Intelligence:* Committee met in closed session to receive a briefing on certain intelligence matters from officials of the intelligence community.

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# House of Representatives

***Chamber Action***

The House was not in session today. The House is scheduled to meet at 2 p.m. on Wednesday, June 24, 2020.

***Committee Meetings*****MEMBER DAY TESTIMONY FOR FY21  
APPROPRIATIONS**

*Committee on Appropriations:* Full Committee held a hearing entitled "Member Day Testimony for FY21 Appropriations". Testimony was heard from Representatives Balderson, Barragán, Casten of Illinois, Finkenauer, González-Colón of Puerto Rico, Griffith, Kevin Hern of Oklahoma, Keller, Sherman, Titus, Wilson of South Carolina, and Yoho.

**MISCELLANEOUS MEASURE**

*Committee on Armed Services:* Subcommittee on Tactical Air and Land Forces held a markup on H.R. 6395, the "National Defense Authorization Act for Fiscal Year 2021". H.R. 6395 was forwarded to the full Committee, without amendment.

**MISCELLANEOUS MEASURE**

*Committee on Armed Services:* Subcommittee on Military Personnel held a markup on H.R. 6395, the "National Defense Authorization Act for Fiscal Year 2021". H.R. 6395 was forwarded to the full Committee, without amendment.

**MISCELLANEOUS MEASURE**

*Committee on Armed Services:* Subcommittee on Readiness held a markup on H.R. 6395, the "National Defense Authorization Act for Fiscal Year 2021". H.R. 6395 was forwarded to the full Committee, without amendment.

**MISCELLANEOUS MEASURE**

*Committee on Armed Services:* Subcommittee on Seapower and Projection Forces held a markup on

H.R. 6395, the "National Defense Authorization Act for Fiscal Year 2021". H.R. 6395 was forwarded to the full Committee, as amended.

**HEALTH AND WEALTH INEQUALITY IN  
AMERICA: HOW COVID-19 MAKES CLEAR  
THE NEED FOR CHANGE**

*Committee on the Budget:* Full Committee held a hearing entitled "Health and Wealth Inequality in America: How COVID-19 Makes Clear the Need for Change". Testimony was heard from public witnesses.

**OVERSIGHT OF THE TRUMP  
ADMINISTRATION'S RESPONSE TO THE  
COVID-19 PANDEMIC**

*Committee on Energy and Commerce:* Full Committee held a hearing entitled "Oversight of the Trump Administration's Response to the COVID-19 Pandemic". Testimony was heard from the following Department of Health and Human Services officials: Anthony S. Fauci, M.D., Director, National Institute for Allergy and Infectious Diseases, National Institutes of Health; Admiral Brett P. Giroir, M.D., Assistant Secretary for Health; Stephen M. Hahn, M.D., Commissioner, Food and Drug Administration; and Robert R. Redfield, M.D., Director, Centers for Disease Control and Prevention.

**R&D TO SUPPORT HEALTHY AIR TRAVEL  
IN THE COVID-19 ERA AND BEYOND**

*Committee on Science, Space, and Technology:* Subcommittee on Space and Aeronautics held a hearing entitled "R&D to Support Healthy Air Travel in the COVID-19 Era and Beyond". Testimony was heard from Heather Krause, Director, Physical Infrastructure Issues, Government Accountability Office; and public witnesses.

## VA TELEHEALTH DURING THE COVID-19 PANDEMIC: EXPANSION AND IMPACT

*Committee on Veterans' Affairs:* Subcommittee on Technology Modernization; and Subcommittee on Health held a joint hearing entitled "VA Telehealth During the COVID-19 Pandemic: Expansion and Impact". Testimony was heard from Jennifer MacDonald, M.D., Chief Consultant to the Deputy Undersecretary for Health, Veterans Health Administration, Department of Veterans Affairs; and public witnesses.

## THE CHILD CARE CRISIS AND THE CORONAVIRUS PANDEMIC

*Committee on Ways and Means:* Subcommittee on Worker and Family Support held a hearing entitled "The Child Care Crisis and the Coronavirus Pandemic". Testimony was heard from Jennifer Sullivan, Secretary, Family and Social Services Administration, Indiana; and public witnesses.

## Joint Meetings

No joint committee meetings were held.

## COMMITTEE MEETINGS FOR WEDNESDAY, JUNE 24, 2020

(Committee meetings are open unless otherwise indicated)

### Senate

*Committee on Agriculture, Nutrition, and Forestry:* business meeting to consider original legislation entitled, "United States Grain Standards Reauthorization Act of 2020"; to be immediately followed by a hearing to examine S. 3894, to authorize the Secretary of Agriculture to develop a program to reduce barriers to entry for farmers, ranchers, and private forest landowners in certain private markets, 10 a.m., SDG-50.

*Committee on the Budget:* to hold hearings to examine the nomination of Derek Kan, of California, to be Deputy Director of the Office of Management and Budget, 2:30 p.m., SR-301.

*Committee on Commerce, Science, and Transportation:* to hold an oversight hearing to examine the Federal Communications Commission, 10 a.m., SR-253.

*Committee on Energy and Natural Resources:* to hold hearings to examine the impact of COVID-19 on mineral supply chains, focusing on the role of those supply chains in economic and national security, and challenges and opportunities to rebuild America's supply chains, 9:30 a.m., SD-366.

*Committee on Homeland Security and Governmental Affairs:* to hold hearings to examine the role of the strategic national stockpile in pandemic response, 10 a.m., VTC.

*Committee on Indian Affairs:* to hold hearings to examine S. 2165, to enhance protections of Native American tangible cultural heritage, S. 2716, to amend the Grand Ronde Reservation Act, S. 2912, to direct the Secretary

of the Interior to take certain land located in Pinal County, Arizona, into trust for the benefit of the Gila River Indian Community, S. 3019, to protect access to water for all Montanans, S. 3044, to amend the American's Water Infrastructure Act of 2018 to expand the Indian reservation drinking water program, S. 3099, to provide for the conveyance of certain property to the Southeast Alaska Regional Health Consortium located in Sitka, Alaska, and S. 3100, to convey land in Anchorage, Alaska, to the Alaska Native Tribal Health Consortium, 2:30 p.m., SD-562.

*Committee on the Judiciary:* to hold hearings to examine the nominations of David W. Dugan and Stephen P. McGlynn, both to be a United States District Judge for the Southern District of Illinois, Hala Y. Jarbou, to be United States District Judge for the Western District of Michigan, Iain D. Johnston and Franklin Ulyses Valderrama, both to be a United States District Judge for the Northern District of Illinois, and Roderick C. Young, to be United States District Judge for the Eastern District of Virginia, 10 a.m., SD-226.

*Select Committee on Intelligence:* to hold hearings to examine the nomination of Peter Michael Thomson, of Louisiana, to be Inspector General, Central Intelligence Agency, 10 a.m., SR-325.

### House

*Committee on Energy and Commerce,* Subcommittee on Communications and Technology; and Subcommittee on Consumer Protection and Commerce, joint hearing entitled "A Country in Crisis: How Disinformation Online is Dividing the Nation", 11:30 a.m., Webex.

*Committee on Homeland Security,* Subcommittee on Intelligence and Counterterrorism, hearing entitled "Examining the Threat from ISIS and Al Qaeda", 11 a.m., Webex.

*Committee on the Judiciary,* Full Committee, hearing entitled "Oversight of the Department of Justice: Political Interference and Threats to Prosecutorial Independence", 12 p.m., CVC-200 and Webex.

Subcommittee on Immigration and Citizenship, business meeting on Request for a Department of Homeland Security Departmental Report on the Beneficiary of H.R. 7146, "For the relief of Victoria Galindo Lopez", 5 p.m., CVC-200 and Webex.

*Committee on Rules,* Full Committee, hearing on H.R. 7120, the "George Floyd Justice in Policing Act of 2020"; H.R. 1425, the "State Health Care Premium Reduction Act" [Patient Protection and Affordable Care Enhancement Act]; H.R. 51, the "Washington, D.C. Admission Act"; H.R. 5332, the "Protecting Your Credit Score Act of 2019"; and H.J. Res. 90, providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Office of the Comptroller of the Currency relating to "Community Reinvestment Act Regulations", 11 a.m., Webex.

*Committee on Small Business,* Subcommittee on Contracting and Infrastructure, hearing entitled "An Overview of the Dynamic Between the Defense Production Act and Small Contractors", 1 p.m., Webex.

*Next Meeting of the SENATE*

10 a.m., Wednesday, June 24

*Next Meeting of the HOUSE OF REPRESENTATIVES*

2 p.m., Wednesday, June 24

## Senate Chamber

**Program for Wednesday:** Senate will continue consideration of the nomination of Cory T. Wilson, of Mississippi, to be United States Circuit Judge for the Fifth Circuit, and vote on confirmation of the nomination at 11:30 a.m.

Following disposition of the nomination of Cory T. Wilson, Senate will vote on the motion to invoke cloture on the motion to proceed to consideration of S. 3985, JUSTICE Act.

## House Chamber

**Program for Wednesday:** House will meet in Pro Forma session at 2 p.m.



## Congressional Record

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