



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 116th CONGRESS, SECOND SESSION

Vol. 166

WASHINGTON, MONDAY, JUNE 1, 2020

No. 101

Senate

The Senate met at 3 p.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.

Eternal God, who has placed our tears in a bottle, today we weep. We weep because every death diminishes us. We weep because of the grief of George Floyd's family. We weep because of the explosive impact of deferred dreams. We weep because of the potentially catastrophic consequences of peaceful protesting during a pandemic. We weep because justice delayed is justice denied. We weep because of the paralysis of analysis that often impedes Your prevailing providence. We weep because of our personal culpability during these tragic times. We weep because of our sins of commission and omission. We weep because we know You are weeping.

Today, use Your lawmakers for Your glory. May they strive to find a vaccine to inoculate our Nation against hate, sin, and despair.

We pray in Your merciful 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 (Mr. HAWLEY). The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I ask unanimous consent to address the Senate for 1 minute.

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

REMEMBERING GEORGE FLOYD

Mr. GRASSLEY. Mr. President, our Nation is hurting. George Floyd's

death was horrific, and justice must be served. The Justice Department has opened an investigation, and the officer has been charged with murder.

A single act of violence at the hands of an officer is one too many. George Floyd deserved better. All Black Americans do. Indeed, all Americans do. The last thing we need is more pain, more devastation, and more injustice.

As a country, let's strive for compassion and listening to others. The best way to honor George Floyd is to engage with all members of our community, including Members of this body, on how to heal these wounds. This is an opportunity for Congress to discuss what reforms can and should be made to address police use of force. Let's move forward and protect our communities together.

I yield the floor.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

PROTESTS

Mr. MCCONNELL. Mr. President, this is an hour of great pain and unrest in our country. Americans from coast to coast have been grieved and horrified by the killings of three African-American citizens: Ahmaud Arbery in Georgia, Breonna Taylor in my hometown of Louisville, KY, and George Floyd in Minneapolis.

In each disturbing situation, investigations and reviews are ongoing. In Kentucky, I am glad that local authorities are investigating, I am glad the FBI is involved, and I am glad our attorney general is committed to taking any necessary action. We need the truth, and we need swift justice under law. But here is something that requires no investigation: In no world whatsoever should arresting a man for an alleged minor infraction involve a

police officer putting his knee on a man's neck for 9 minutes while he cries out "I can't breathe" and then goes silent.

To me, to a great many of my fellow Kentuckians, and to millions of outraged Americans, these disturbing events do not look like three isolated incidents. They look more like the latest chapter in our national struggle to make equal justice and equal protection of the law into facts of life for all Americans, rather than contingencies that sometimes depend on the color of one's skin. Obviously, this struggle remains incomplete.

I have spent decades in the Senate not only as an advocate for civil rights but as a First Amendment purist. So I completely support and fully defend citizens' constitutional rights to speak their minds and engage in peaceful protests. Our Nation cannot deafen itself to the anger, pain, or the frustration of Black Americans. Our Nation needs to hear this.

Yet, over the last several days, citizens have watched with horror as cities across America have convulsed with looting, riots, and destruction. On a nightly basis, initially peaceful demonstrations have been hijacked. Americans have watched protests dedicated to ending unjust violence mutate into riots that inflict unjust violence themselves. We have seen small businesses destroyed and public property defaced. We have seen the men and women of law enforcement—the vast majority of whom are not bad actors but brave public servants—threatened and assaulted on our streets.

Free speech and peaceful protest are central American liberties. Looting, rioting, assault, and arson are violent crimes that have no place—no place—whatsoever in our society. It is not a display of courageous citizenship to smash and destroy small businesses that had just barely hung on through the pandemic. It is not an act of principled protest to grab expensive merchandise or set fire to a church. It does

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



Printed on recycled paper.

S2623

not advance freedom or justice to vandalize the World War II Memorial that stands for those who bled and died for exactly those values. You do not advance peace by committing assault. You do not advance justice by inflicting injustice upon your neighbors. You do not promote the rule of law through anarchy. There is no constitutional right to commit violent crime or to terrorize communities, period.

This cannot continue. It has already gone on for entirely too long. I hope State and local authorities will work quickly to crack down on outside agitators and domestic terrorists and restore some order to our cities. If State and local leaders cannot or will not secure the peace and protect citizens and their property, I hope the Federal Government is ready to stand in the breach.

In Kentucky, we are already seeing violence and tragedy compound on themselves. Several days ago, seven people were shot in Louisville—none, according to the mayor, by law enforcement. Last night, one individual was shot and killed by authorities after the police were fired upon from within a crowd. We are learning about the incident as fast as we can. I was just briefed by Governor Beshear today, and I support a full and thorough and immediate investigation. But this has to end.

These important protests began with the notion that basic physical safety and legal protections must be non-negotiable for every single American, bar none; that American liberty and the rule of law must be universal truths for all, not special privileges for some. That point is absolutely right. That is a righteous and important mission. And it is exactly why these senseless and destructive riots need to end. Not next week. Not tomorrow night. Right now. Right now.

We have real work to do to build constructive paths forward between law enforcement and affected communities. More violence and destruction is not just unfair to many innocent people, it also just makes this important work so much harder.

CORONAVIRUS

Mr. MCCONNELL. Mr. President, on an entirely different matter, these events only compound what has already been a historically challenging time for our country.

As our Nation continues to combat and contain the coronavirus, the Senate will continue to lead the response. To name one example, I hope and anticipate the Senate will soon take up and pass legislation that just passed the House by an overwhelming vote of 417 to 1 to further strengthen the Paycheck Protection Program so it continues working for small businesses that need our help.

Even as we fight the pandemic, we will remember that other challenges face our Nation as well. Foreign adver-

saries are all too eager to exploit a distracted world.

In recent days, agents of the Chinese Communist Party have taken to social media to openly taunt—openly taunt—the United States and defend their violent crackdown on the autonomy of Hong Kong.

It has been almost a year since the world watched Hongkongers embark on the latest round of peaceful demonstrations against the repressive grip of the Chinese Communist Party. The world watched as Hong Kong voters, with American flags in hand, dealt crushing defeats to Beijing's preferred puppet candidates in elections last fall. But in recent weeks, as the coronavirus pandemic that China exacerbated has dominated the world's attention, the Chinese Communist Party is trying yet again to tighten their grip. New laws—supposedly related to national security—aim to stifle dissent and curtail Hongkongers' civil liberties.

When I authored the U.S.-Hong Kong Policy Act way back in 1992, we wanted to ensure future Chinese regimes would respect the promises made regarding this unique, autonomous region, so we made sure the weight and suasion of the United States of America would stand with Hongkongers if need be.

Unfortunately, these years later, such a time is upon us. Among other examples, we received word today that for the first time in 30 years—30 years—authorities in Hong Kong will not allow the annual candlelight vigil that commemorates the Tiananmen Square massacre to occur. For the first time in 30 years, no commemoration of the Tiananmen massacre will occur in Hong Kong. For three decades, Hong Kong has been the only place in China where full-scale remembrances of the massacre are permitted, but now they, too, will be going dark.

So I am encouraged that Secretary Pompeo is tapping into that law to formally certify that Beijing's systemic efforts to interfere in Hong Kong have eroded the region's autonomy. I might say this is exactly what we were concerned about back in 1992 when the Hong Kong Policy Act was introduced by me and became law—exactly what we feared.

I hope that the administration will soon identify the specific ways it will impose costs on Beijing and, just as important, continue American support for the people of Hong Kong. Under my original legislation, several tools are available. Their primary aim is to be an effective friend and partner for Hongkongers who share values of democracy and freedom and to help preserve the region's unique character, autonomy, and prosperity.

Our Nation's commitment to those efforts must remain ironclad, and it must be 100 percent clear that the responsibility for threatening Hong Kong's economic, political, and social climate rests solely and squarely on the Chinese Communist Party—the regime that views free thought as a fun-

damental evil; the regime that sees peaceful demonstrations as an existential challenge. That is who is to blame for this, no matter what the Communist Party's two-bit propaganda is trying to claim—not the people of Hong Kong, not their friends in the United States, just the would-be tyrants in Beijing.

Last year, as Congress passed Senator RUBIO's update to my Hong Kong Policy Act, I also secured additional funding to provide legal protections to Hong Kong protestors and support democracy promotion activities. But if China moves in the coming days and weeks to implement its draconian new laws that strangle Hong Kong, there will be no rule of law left for protestors to appeal to. That is why the U.S. response should mirror those of other democracies that open their doors to Hongkongers fleeing oppression. Our Nation has a rich heritage of standing as a beacon of light and freedom, from refugees of war to those escaping the Iron Curtain. We should exercise it again for the people of Hong Kong.

Finally, while we address these latest aggressions, we must not miss the broader lessons. The Communist Party of China does not play by the rules. They don't—not the rules of the international economy; not the rules of its bilateral agreements with other nations; not even its own rules, which are increasingly subject to the whims of President Xi.

Whether they are cracking down on Hong Kong, trying to cover up a pandemic, or herding ethnic and religious minorities into modern-day gulags, this generation of Chinese leadership is telling the rest of the world every single day exactly who they are—exactly who they are.

America and the world have watched China deepen its tyranny at home, assert its hegemony abroad, and undermine basic norms that protect the peace. The question before us is, What will we do to stop it?

MEASURES PLACED ON THE CALENDAR—S. 3833 AND H.R. 6800

Mr. MCCONNELL. Mr. President, I understand there are two bills at the desk due a second reading, en bloc.

The PRESIDING OFFICER. The clerk will read the titles of the bills for the second time.

The legislative clerk read as follows:

A bill (S. 3833) to extend the loan forgiveness period for the paycheck protection program, and for other purposes.

A bill (H.R. 6800) making emergency supplemental appropriations for the fiscal year ending September 30, 2020, and for other purposes.

Mr. MCCONNELL. Mr. President, in order to place the bills on the calendar under the provisions of rule XIV, I would object to further proceedings, en bloc.

The PRESIDING OFFICER. Objection having been heard, the bills will be placed on the calendar.

Mr. McCONNELL. 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. SCHUMER. Mr. 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 PRESIDING OFFICER. The Democratic leader is recognized.

PROTESTS

Mr. SCHUMER. Mr. President, 1 week ago today, a White police officer in Minneapolis, MN, knelt on the neck of an African-American man named George Floyd, pinning him to the ground for over 8 minutes as he pled for his life. The officer callously refused to heed those calls, standing up only after Mr. Floyd was unresponsive. Mr. Floyd was pronounced dead shortly thereafter. It was 8 minutes—8 minutes—that he was pinned there.

Today, 8 days later, our Nation is reeling. It is reeling over the injustice and senselessness of George Floyd's death, reeling over the memory of Ahmaud Arbery, Michael Brown, Breonna Taylor, Eric Garner, and the unimaginable number of innocent lives that were taken in similar circumstances. Our Nation is reeling from centuries of racial injustice, a legacy as old as the Nation itself and one that haunts us to this day.

It took two and a half centuries and the Civil War to finally end slavery in America. It was 100 years more until the descendants of those newly freed men and women could fully enjoy the rights of citizenship. Even today, slavery is still with us. Its terrible legacy and evil effects are felt in real and discernible ways every single day.

When the French historian Alexis de Tocqueville visited America in the 1830s, with amazing prescience he predicted that the United States would become a great nation—the greatest in the world—even though at the time we were a fledgling country, compared to the great powers of Europe. But he also said that the one thing that could doom our Nation was racism and racial prejudice. His words ring true today.

The racial disparities in our criminal justice system have been on full display, but these disparities permeate not just the criminal justice system but all of society. There are glaring racial disparities in healthcare and housing, racial disparities in income and in wealth, in the board room and at the ballot box, on our streets and in our schools. These disparities have been with us a very long time, but COVID has placed a magnifying glass on them. Perhaps most evident and immediate, the COVID-19 pandemic continues to

infect and kill African Americans at a disproportionate rate. We are confronted by the all too often fatal consequences of those disparities on a daily basis.

George Floyd's killing touched off justified protests and demonstrations across the country, driven by Americans of every age, color, and creed who were distressed and upset, frightened and angry by the America they see and feel compelled to change. The overwhelmingly peaceful protests do honor to the generations of Americans who stood up and sat in and shouted at the top of their lungs in the urgent mission to make America a more perfect union. The small minority who exploit the moment for violence and mayhem are wrong and do not advance the cause of justice.

I would note that while over 4,000 protesters have been arrested in the last week, only 1 in 4 of the police officers involved in the killing of George Floyd has been arrested. While that statistic does not excuse the violence we have seen, it certainly helps to explain the frustration and anger right now.

There is accountability when everyday citizens and protesters violate the law, but that same accountability is far too often lacking when law enforcement violates the law, and we have to fix that. We must work to bring accountability to police departments so that bad actors are not shielded from culpability and those many officers who do the job the right way are incentivized and rewarded.

We must reform our laws and our police practices so that events like George Floyd's killing are far less likely in the first place. There are many examples of departments that have made strides at improving community relations, transparency, and accountability, while reducing unwarranted violence and racial bias. We need to build on those best practices and get all of our police agencies to adopt them.

We must invest in services and programs necessary to deal with issues unrelated to law enforcement, such as housing and mental health, rather than asking police officers to be responsible for addressing all of our society's challenges. There are many ways to address the broader disparities in our society, the systemic racism, and the injustice that follows America around like a shackle in our laws, in our customs, and in too many of our hearts. We have to make progress on these issues right now—not later, not next year, not after the next George Floyd but right now.

Senate Democrats will be confronting and addressing all of these issues this week, and many of my colleagues will prepare legislative plans of action. We will listen to experts on these issues and our constituents who face these challenges on a daily basis. Be sure of this: We will propose and push for bold action.

Leader McCONNELL, however, will decide whether or not the Senate will

take any of that action. At the moment, he has reserved the floor of the Senate for the confirmation of several rightwing judges, many of whom will become part of the very problem we are now discussing: a justice system that doesn't work for everyone, a biased system.

These are judges who were preselected specifically because of their antipathy to voting rights and civil rights and criminal justice balance and fairness. Time and again, the Republican majority has confirmed judicial nominees who pledge loyalty to an ideological doctrine that would exacerbate the very inequalities that have been laid bare in recent weeks and months. Leader McCONNELL is doing that this week, once again.

At this delicate time, the Senate should lead on these issues rather than aggravate the problem. Leader McCONNELL should commit to put a law enforcement reform bill on the floor of the Senate before July 4. There shouldn't be hearings on President Trump's wild conspiracies about the 2016 election or a month of rightwing, anti-civil rights judicial nominees. As the COVID pandemic continues to rage and Americans are taking to the streets to express their anger at police violence and racial injustice, the Republican majority in the Senate must focus on the national crisis at our doorstep.

Today—just today—the CBO is expected to release an estimate of the damage to our economy caused by the pandemic. If the current trends continue, the CBO predicts a jaw-dropping \$16 trillion reduction in economic growth over the next decade—\$16 trillion.

There are 40 million Americans currently unemployed. Where is the urgency from Senate Republicans to address the economic catastrophe in our country, a catastrophe that, like police violence, will disproportionately affect African Americans and other Americans of color?

We should address both these issues—COVID and police violence—this month, not spend time on fringe conspiracy theories and not spend time on putting rightwing judges who have shown no sympathy to civil rights and racial justice and harmony on the floor of the Senate.

This is a moment that cries out for leadership, for compassion, for sympathy, for understanding, for action, and for our leaders to bring us together instead of letting events tear us apart. But the leader of our country, the President of the United States, struggles—struggles—to summon even an ounce of humanity in this time of turmoil.

The President has reacted to the pain and anger in the country by playing politics and encouraging police to be tougher on protesters by bragging about his reelection prospects and his personal safety inside the White House. A Presidential tweet invoked a Miami

police chief, who, in 1967 encouraged shooting Black people during riots. The President seems unable even to address the underlying issues that the protests are about. He is unwilling—unwilling—even to speak to the Nation about racial justice.

Unfortunately, none of this is remotely new with President Trump. A few years ago, President Trump told law enforcement officers not to worry about injuring suspects when arresting them. His administration stopped investigating State and local police departments for racial discrimination and repealed restrictions on police departments obtaining military-style weapons. The President's policies have worsened racial divisions in this country. His rhetoric has consistently inflamed them.

Either the President is too afraid to lead or is simply incapable, but all of us, right now, have to engage in the difficult work of pulling this country together and then forward. We are a nation exhausted and dispirited. In the midst of a once-in-a-generation challenge, we have been reminded of a generation's-long struggle for racial justice and equality. The only way—the only way—for us to move forward is to do it together.

It is time for the large majority of police officers who do a very difficult job the right way to be part of a reform effort, for our national leaders in the Senate and the House to take up thorny issues of prejudice and discrimination and begin changing the laws and institutions that perpetuate it, and, yes, for the President to finally start acting like the leader he is supposed to be and the Constitution calls for.

We are all engaged in this project to not only recover from a public health crisis and an economic disaster, but to build a society when none of our citizens fear the men and women who are supposed to protect them—a society where Americans of color can live and breathe and watch birds in a park and walk home with a bag of Skittles without fearing for their lives.

As millions of Americans take to the streets in peaceful and righteous protest, I hope that this moment—one of pain and sorrow and grief—can also be a watershed moment for action.

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

The PRESIDING OFFICER (Ms. ERNST). Without objection, it is so ordered.

PROTESTS

Mr. HAWLEY. Madam President, it was 1 week ago today that George Floyd died in the streets of Minneapolis at the hands of Minneapolis

police officers exercising and employing incredible, illegal, unconstitutional violence ending in the loss of Mr. Floyd's life.

This afternoon, we have a medical report from examiners hired by Mr. Floyd's family. The words are just shocking. The report concludes:

George Floyd was killed by asphyxia due to neck and back compression and died at the scene.

Sustained pressure on the right side of Mr. Floyd's artery impeded blood flow to the brain, and weight on his back impeded his ability to breathe.

Then the report concludes:

The independent examiners found that weight on the back, handcuffs and positioning were contributory factors because they impaired Mr. Floyd's diaphragm to function. From all the evidence, the doctors said it now appears Mr. Floyd died at the scene.

Words cannot begin to describe the injustice that this report puts into plain text: the violation of police procedures, the abuse of the law, the appalling, illegal, homicidal misuse of government authority. Words cannot begin to describe the injustice that this has done to Mr. Floyd, to his family, to his community, and to millions of Americans who feel caught up, who feel judged by, endangered by, imperiled by these actions and too many others like them over too many years for too long in this country.

I just want to say as the former attorney general of my State—a role in which I had the great privilege to work day in and day out with law enforcement across the State of Missouri, law enforcement who go to work every day to prevent this kind of illegal violence, to prevent this kind of illicit use of power—that the actions by the police officer and officers here in this case cast an incredible aspersion on those valiant and courageous and law-abiding police officers, Black and White and of every color across our country, who go to do their job every day to protect and uphold and defend the Constitution of the United States and to protect men and women like George Floyd. The actions of these officers in this case are an incredible betrayal of those standards of those officers and of justice itself.

I understand why so many Americans have assembled peacefully to witness to this abuse of power and to protest it and to demand that justice be done. They are right to do so, and they are right to demand that this pattern of violence exercised against African-Americans be acknowledged and it be confronted and it be stopped.

This is urgent work for us as a nation and for this Congress as we go forward.

I also believe that those who would turn this occasion into an opportunity for rioting and for looting and for more violence and for further attacks and for civil unrest do a great disservice to the memory of Mr. Floyd, to his family, and to this cause of justice that we Americans share together, for this is a cause that is ours together as a nation.

This is a cause given to us by our common Constitution. This is a cause that should link us together, American with American, and we must resist the efforts of those—all of those—who would set us against ourselves as we seek to pursue that more perfect union, as we seek to pursue justice in this case and in other cases and in the future to come.

So I add my voice to those who call for an end now to the rioting and to the looting, to those who would defame and dishonor and disfigure the memory of Mr. Floyd and his cause. I hope all lawful steps will be taken to protect innocent and law-abiding citizens in our cities and in our communities so that the peaceful assembly and its righteous cause can go forward.

I just want to say one more thing on this subject. We cannot ignore that these peaceful protests are taking place amid a backdrop of the 20-percent unemployment in this Nation—perhaps higher in the urban centers of our Nation. I think of a line by a former Senator, who once said that “to be unemployed is to have nothing to do, and that means having nothing to do with the rest of us.”

I hope that as we as a nation and we as a body in the U.S. Senate turn our attention to what we can do to seek that more perfect union, what we can do to better secure the promise of our Constitution, what we can better do to secure that dream we hold together as Americans, I hope one thing we will discuss is the vitality, the necessity of work—work that is meaningful and that is rewarding and that is available for all Americans, from our urban core to our small towns.

I hope we will have a discussion about the policies that for too long in this country, for too many decades, have sent too much work out of our country, away from our cities—away from our small towns, for that matter. I hope we can discuss what we will do to bring work back so that those who grow up in our cities—young men who grow up in our cities—will have a sense of a future, will have a sense of possibility, will think that “there is something for me here. I could build a family here. I could start something here. And yes, I could have a say and a share in our society here.” For that, they have to have work. They have to have meaningful work.

This is a task to which we must set ourselves. It is urgent now in this present pandemic crisis that has seen these unemployment numbers rocket to historic, unimaginable levels. It is vital we address the crisis of work, but it is also vital for our future. It is vital for our urban core. It is vital for the young men and women who struggle there. It is vital for our rural towns and our small areas like the one I am from. It is vital for every part of this country, for every member of this Nation, and it is work I hope we will take up urgently together to provide good-

paying, meaningful jobs that can support the social fabric that is the foundation of our democracy.

There is much to do in the months and the years ahead. I just hope that the loss of Mr. Floyd will serve as a fresh beginning, an opportunity for a new start, for Americans from every corner of this country, from every political background, from every race and ethnicity, to stand together and to say: We commit ourselves anew to this Constitution that we love, to this Nation that we call home, and we are determined now more than ever to seek and to build a more perfect union.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

REMEMBERING GEORGE FLOYD

Mr. CORNYN. Madam President, ours is a nation with a split screen of a battle on two fronts. One is the pandemic that we have been fighting now for many months, and the other is to continue the fight to defeat racial injustice that has sadly divided our Nation since its very inception.

One week ago today, George Floyd, a native Houstonian, tragically died in the custody of a law enforcement officer. As the gut-wrenching video of his death has spread, so has the passion and the anger among all of us who wonder, how can something like that happen?

Our Constitution guarantees every American the right to protest injustice, and I believe we all have a responsibility to stand up for what is right and condemn what is plainly wrong.

People of all colors, backgrounds, and ages are demanding that justice be served in the case of George Floyd. The first step in that process came on Friday when the officer who had him in custody was himself arrested and charged with third-degree murder.

Devastating events like the death of George Floyd remind us that we have a long way to go in the fight for equal justice under the law, but we cannot yield to the temptation to fill the void created by this tragedy with violence.

Too many protests across our country have turned into riots with looting and vandalism and destruction, hurting innocent people and tearing our cities apart. In response to these escalating protests last night, there were more curfews in place than at any other time since the assassination of Martin Luther King.

One man who experienced that period of American history firsthand is our colleague on the other side of the Capitol, Congressman JOHN LEWIS. He fought and marched alongside Dr. King, fighting for equal rights, and continues fighting today for equal justice.

Over the weekend, he denounced the rioting and looting that occurred and said:

"Be constructive, not destructive. History has proven time and time again that non-

violent, peaceful protest is the way to achieve the justice and equality that we all deserve."

I understand and share the passion and the anger that have spread across the country and support those who are peacefully protesting and demanding that justice be served. There should never be a time in which the color of someone's skin determines whether they live or die, and we have to do everything in our power to prevent these tragedies from occurring in the first place. But that change can't happen when businesses are being looted, when vehicles are being set on fire, or when innocent people are being harmed. It only can happen when we come together and learn to empathize with one another and understand the struggles our neighbors are facing.

I would note that there is good evidence that many of these acts of violence are being instigated not by victims of injustice but by outsiders determined to stoke the rage that many feel and thus incite them to that violence.

I was glad to hear the Attorney General of the United States say on Sunday that the Department of Justice will treat violence by individuals associated with Antifa and other groups as domestic terrorism and calling some of these protests following George Floyd's death to have been hijacked for another destructive, antisocial agenda.

Investigators are also tracking social media posts and looking into whether foreign agents are behind an active propaganda campaign using social media, trying to divide us further, to stoke the anger and rage that many of us feel. Officials have seen a huge surge in social media accounts with fewer than 200 followers created in the last month—a textbook sign of a disinformation campaign by a foreign power, much as we saw in 2016 during the Russian active measures campaign leading up to the election.

Righteous rage is one thing; being manipulated by instigators of violence and foreign powers is quite another.

PAYCHECK PROTECTION PROGRAM

Mr. CORNYN. Madam President, on to another matter, I was glad to be able to get back home to Texas this last week, where our communities are slowly coming out of a coronavirus shutdown. Churches have begun safely welcoming worshippers, restaurants are beginning to safely seat customers, albeit with the appropriate social distancing, and retailers are now beginning to safely reopen their doors. After weeks and in some cases months of hunkering down, it is a welcome sign of our progress in the fight against the coronavirus and the first step in our economic recovery.

When stay-at-home orders were first put in place, small business were worried—understandably so—about their ability to survive. Many said they couldn't survive more than a couple of weeks under those circumstances.

Back in March, Fort Worth chef Tim Love described the situation as "Armageddon." He said:

"It's worse than a tornado, it's worse than a hurricane, it's worse than a fire. This is going to destroy everything that I have built."

But the restaurants weren't alone; I heard similar concerns from countless other small business owners across nearly every sector of the economy—hospitality, tourism, retail, manufacturing, and the list goes on.

Keeping our small businesses open means much more than having another restaurant to eat in or a shop to buy from on Main Street; it is one of the most effective ways to support our economy, by protecting those jobs. Across the country, small businesses have employed nearly half of all U.S. workers. They are the lifeblood of our local economies and provide critical services to each of our communities.

Without customers coming through the front doors each day, it is hard to cover your business expenses and keep employees on the payroll. In fact, it is not just hard, it is impossible.

Whether you are a new business just starting out or a decades-old community staple, the financial squeeze caused by this virus and the mitigation efforts that ensued are unavoidable.

As we worked on coronavirus response legislation here in March, we knew that small businesses needed our support. That is why we established the Paycheck Protection Program and initially funded it with \$350 billion. This funded loans that were available for these businesses to keep their employees on their payrolls and cover other necessary expenses, and if they did so, that loan would turn into a grant.

It was so popular—and it's not hard to see why—and the need was so great that that initial funding ran out in about 2 weeks, so we wisely, in my opinion, decided to replenish it with another \$320 billion.

An IT and document management company in Sugar Land, TX, called Function 4 was one of the recipients of one of those PPP loans. One of the partners, Bill Patsouras, said that if it wasn't for the PPP, they would "absolutely have to start letting people go." But instead of layoffs, all 89 employees of Function 4 are still employed and still working.

This is a familiar story, I am sure, not just in Texas but elsewhere. As of May 23, small businesses in Texas have received more than 350,000 PPP loans totaling more than \$40 billion. That is an average loan size of less than \$115,000. These are for small and medium-size businesses.

In speaking to my community bankers last week, I learned that one bank had approved a loan request for as little as \$300. So while the average loan was \$115,000, some businesses needed far less than that, including this one loan for \$300.

No matter how large or small, these loans have allowed businesses, churches, nonprofits, and some of our most

valuable community institutions to survive. That is not to say, though, it was perfect—at least to start with. When it was first established, no one expected the rollout to be perfect. I think that would be an exercise in hope over experience because no government program this big and created this fast—and we knew both of those were important. We needed to go big, and we needed to deal with the need urgently. We knew there would be some problems. A brand-new loan program drafted and passed in such a short timeframe is bound to have some hiccups.

So over the last several weeks, I have been working and talking to my constituents—as we all have—to identify what needs to be fixed or improved, what gaps need to be filled; figure out what is working, what isn't, and how we can make it even more effective. Well, I heard repeatedly that the biggest need was for flexibility in the use of those funds, and that is where they are needed the most.

The main goal of the Paycheck Protection Program is right in the name—protecting paychecks. That is why we said that 75 percent of the money needed to be used for payroll; otherwise you were going to have to pay the money back. We said originally that the remaining 25 percent could be used for a range of other expenses, like rent or utilities. But based on the feedback I have gotten—and I am confident that I am not alone—we missed our mark by establishing that 75-percent requirement. For many who had no business because they were shut down as part of the mitigation efforts, their payroll expenses—they couldn't use the three-quarters of the loan for payroll—at least not in the short timeframe we allowed for. They needed to be able to spend more on other expenses, like rent and mortgage.

The company owned by Tim Love, whom I mentioned a moment ago, who described this crisis as Armageddon, received a PPP loan and so far has been able to hire back 80 percent of their 490 employees. A couple of weeks ago, he participated in a roundtable at the White House, and he asked for adjustments to give businesses more flexibility. He said:

We're not asking for more money. We're just asking for the opportunity to spend it the way that you want us to spend it, the way it was intended; to take care of our employees when we're able to open up.

That is precisely what we are working to do, and I hope we can get legislation to the President's desk this week to make those needed changes.

Last week, the House passed a bill to provide that flexibility for small businesses to use these funds where they are needed most. This effort was spearheaded by a fellow member of the Texas delegation, Congressman CHIP ROY, and it passed by a vote of 417 to 1—a rare feat these days in the House of Representatives.

The bill will reduce the level of funds that must be used on payroll from 75

percent to 60 percent. This will make sure that the bulk of the funding continues to protect jobs and support workers, while giving businesses the flexibility they need to stay viable.

This legislation also gives borrowers another valuable asset, and that is the asset of time. The PPP as originally written gave borrowers 8 weeks to use these funds, and I have repeatedly heard from my constituents that 8 weeks is simply not enough. For those who received these loans at the outset in early April, their window to use the PPP loan is quickly closing, and although businesses are now just starting to safely reopen, it is going to take some time before we find our new normal.

I don't think we want a situation where, after being back at work for 8 weeks, employees are let go because of an administrative policy that makes no sense. It is completely arbitrary, and that is exactly what could happen if we don't act. The bill passed by the House would extend that period of time to 24 weeks for borrowers to use those funds. It will ensure that businesses and nonprofits have the time to safely reopen and rebuild their operations while using the PPP to help cover payroll and other business expenses. This would be a win-win. I rarely have heard from my constituents back home that we have done anything that has been so universally appreciated as the PPP program, or the Paycheck Protection Program.

This legislation that has passed the House and I hope we will take up and pass this week extends the benefits of this incredible program and provides more stability for small businesses without spending anymore taxpayer dollars. It doesn't cost us anything. Giving small businesses and nonprofits more flexibility to use this money when and where it is needed is important to our long-term recovery.

I have heard very positive feedback about these changes from the small business owners I represent, and I am eager to support the passage of the latest House bill here in the Senate.

I yield the floor.

The PRESIDING OFFICER. The Democratic whip.

PROTESTS

Mr. DURBIN. Madam President, his name was George Floyd, and 7 days ago he was killed on the streets of Minneapolis. He was not the first African American to be the victim of racism and criminal misconduct by the police. This has happened in our history many times, but this was different. This was a killing which we watched in realtime.

In fewer than 9 minutes, a Minneapolis police officer, with his knee on the neck of George Floyd, took his life away. Despite Mr. Floyd's begging over and over again, his pleas that he couldn't breathe, even invoking the name of his mother, it didn't stop what

happened. That photo is still emblazoned in my mind, as I am sure it is for all of those who have seen it.

The look in that policeman's eyes, in the videotape that was being taken of that incident, was cold, hard, distant and unmoved by George Floyd's plea and the plea of those around him. What a tragic moment for our country. What a tragic moment for that family. What does it say about who we are in the United States of America that in the year 2020 this sort of thing can happen with such frequency?

The heartbreaking killing of George Floyd follows years of similar tragedies and needless loss. In 2012, 17-year-old Trayvon Martin was shot and killed by a vigilante as he walked home with a bag of Skittles that he just bought from the local 7-Eleven. His crime? Black in America.

In 2014, the words "I can't breathe" were seared into our minds when we saw the video of Eric Garner struggling for his life and dying as a police officer held him in a choke hold. His crime? Black in America.

Weeks later, Michael Brown was shot and killed by a police officer in Ferguson, MO, despite being unarmed. A couple of months later, on the streets of Chicago, IL, Laquan McDonald was shot and killed by a police officer. The next month, after he was killed, Tamir Rice was shot and killed by a police officer while playing with a toy gun in a Cleveland park.

The tragic list of Black individuals whom we have mourned and marched for continues to grow: Walter Scott, Freddie Gray, Philando Castile, Botham Jean, Atatiana Jefferson, and many more, including Sandra Bland, another resident of Illinois whose life was taken when she drove down to Texas to interview for a new job. I attended her funeral ceremony. The loss of such a wonderful young woman is still unexplained.

Now we come together to mourn the lives of two Black men and a Black woman—lives that were cut far too short in incidents of inexplicable and inexcusable violence: Ahmaud Arbery, Breonna Taylor, and George Floyd. Once again, those gut-wrenching words—"I can't breathe"—have us to tears.

As activist Brittany Packnett Cunningham has pointed out, justice for George, Breonna, and Ahmaud would mean that they would each still be alive and breathing today.

What we must now seek is accountability. The arrest of former Minneapolis police officer Derek Chauvin is a first step in that direction, but there is so much more that must follow.

Too often, police officers have crossed the line from lawful protection of our communities to baseless targeting, harming, and killing of unarmed Americans of color. Perhaps an arrest of the officer will be made, but our system of justice rarely leads to real consequences that follow. How

many more names of Black men and women and children will be crying out in protest before America finally acknowledges the obvious?

We cannot call ourselves a land of justice until we address those fundamental issues of racial injustice. That will require an honest, candid conversation with leaders in the law enforcement community about training, inherent bias, the use of force, and the consequences for their unjust action. It will require prosecutors in courts to commit to pursuing true accountability when injustice occurs, and it will require legislators like myself and those I serve with in the Senate and in the House and in State legislatures around this country to continue to undo the damage of a criminal justice system fraught with racial disparities.

Most importantly, it will require those of us with privilege and power to step back and listen to Black Americans as they tell us about what a life affected by pervasive and systemic racism is like. If we truly want to reach a new day in America, impacted communities must lead the conversation, and allies must play an active and supporting role in confronting and dismantling racism.

We know there are several steps the Federal Government can take right now to begin the process of moving forward. A good place to start is President Barack Obama's Task Force on 21st Century Policing.

In 2015, President Obama's Task Force released a report outlining crucial reforms to strengthen community policing and to restore trust between law enforcement and the communities they serve. Under President Obama's leadership, the Justice Department's Civil Rights Division investigated civil rights abuses in multiple police departments across the country—Baltimore; Ferguson, MO; Cleveland; and, yes, Chicago, IL.

Unfortunately, the current President dismantled these efforts as soon as he took control of the Department of Justice in 2017. In this heartbreaking moment of crisis, America is pleading with us for leadership. President Trump and Attorney General Barr could demonstrate that leadership by implementing the recommendations of the Task Force on 21st Century Policing and permitting the Civil Rights Division to do its job and vigorously investigate police departments accused of engaging in a pattern of practice of misconduct.

We have a role to play here too. We must immediately hold hearings on systemic racism and police misconduct so we can discuss and pursue solutions, including accountability and training.

Chairman GRAHAM of the Senate Judiciary Committee has announced that the committee will hold a hearing on police misconduct. I am glad that he made that statement. I hope it is more than just one token hearing.

When I chaired the Senate Judiciary Subcommittee on the Constitution,

Civil Rights, and Human Rights, I held several hearings on race in America, including my last hearing as chairman in December of 2014, on the state of civil and human rights in the United States. I said then, and I repeat it today, that it is important to recognize and say clearly that there is still a problem with racism in America and we still have so much more to do. We have got to acknowledge the obvious.

As one sign said in the demonstration yesterday, "All Black people are not criminals. All White people are not racists. All policemen are not bad." We have to find the problems and solve them, but we cannot ignore the obvious.

Since the Republicans took Senate majority control on January 2015, the Senate Judiciary Committee rarely, if ever, addressed these issues of systemic racism in America. In fact, the last hearing on policing was almost 5 years ago.

In November of 2015, the junior Senator from Texas held a hearing entitled: "The War on Police: How the Federal Government Undermines State and Local Law Enforcement." It was a thinly veiled attack on the efforts of the Obama administration's Civil Rights Division to improve police integrity, and 4½ years after that hearing, we still have so much work to do.

I am committed to joining with my colleagues to listen to civil rights leaders, activists, and affected communities to work with them to improve life in my State and across the Nation. I hope we can honor George, Breonna, Ahmaud, and all of the Black and Brown lives that have been lost in brutal acts of racial injustice. We need to do this by reforming the system that has permitted these atrocities to occur and dedicate ourselves to bringing about justice and accountability.

It was many years ago when I was a law student in this city. The year was 1968. I remember it well. It was a historic year, and much of history was painful. I was sitting in the student library of Georgetown Law School, and a professor opened the door and asked that all students in their second and third year come out in the hallway. I went out in the hallway, and he said: We need your help. As you know, the city of Washington is ablaze with demonstrations in anger over the assassination of Dr. Martin Luther King. The system of justice has broken down in the city. They have run out of attorneys to even stand with the accused defendants before the court. We are preparing to empower you, even as law students, to walk across the street to the DC court and play that role. We need you.

I did it, nervous as could be, uncertain of what I was actually doing but realizing that the system of justice in this city had all but broken down.

I think we have learned the hard way that to maintain order in a democracy, you need a consensus—a consensus on what is the common good and the be-

lief that we all must stand together to make certain that it is protected.

There will always be enemies and outliers, but ultimately, if we are to move together as a democratic nation, we have to understand and work together toward the common good and a common goal, and shouldn't the beginning of that common good and common goal be the end of racism in America?

I read so much history about the Civil War and the role of another Illinoisian, Abraham Lincoln, in bringing that war to a successful conclusion. The constitutional amendments that followed and the promises that followed as we emancipated slaves across the United States—those promises, sadly, were not kept. The Reconstruction, Jim Crow laws, and the discrimination that followed are still with us today.

There was one moment—one shining moment in my political life—when I stood just a few feet away from a new President of the United States by the name of Barack Obama, an African American. I thought to myself, finally, finally, DURBIN, maybe we have reached that turning point in America when it comes to race. If we can accept an African American as the leader of our Nation, maybe, just maybe, we are moving toward the day we all dreamed of.

I am afraid he moved us forward but not far enough, and he would be the first to acknowledge it. We have work to do.

It used to be a bipartisan effort when it came to making certain that minorities—especially African Americans—were not denied the right to vote. That used to be bipartisan when I first came to Congress. Now it has become another sad, divisive, partisan issue, and the efforts to restore the Voting Rights Act failed because the Republicans no longer joined the Democrats in that quest.

There are so many other areas that lie ahead that we have to address beyond criminal justice. We have to address economic justice. We know from the COVID-19 pandemic that those who are minorities in this country—the Black and Brown—are dying at a much greater rate than others. There are gross disparities—racial disparities and poverty disparities—when it comes to healthcare in America, and the same is true for education and housing and so many other aspects of what being an American is all about. That agenda is before us.

If we think coming to the floor and making a speech, having a hearing, and moving on will solve the problem, it will not. It will not. We have to envision, moving forward, rethinking America, and we have to acknowledge that the process will be far from perfect.

Just the last two nights in the city of Chicago and across the United States, we have seen incidents occur that I thought I would never see again. They harken back to that 1968 reaction to

the assassination of Dr. Martin Luther King—burnings, looting, confrontations, things that sadly look exactly like they did some 50 years ago.

The reality is this: In America, we are given a constitutional right to express our feelings, our free speech, and our free assembly. Those rights are important and should be valued and respected, but those rights to march and demonstrate, as people are doing right outside this building at this very moment, cannot be taken to the point where they have reached an extreme and become destructive. Speaking, assembling, exercising your constitutional right does not include looting. It doesn't include arson, vandalism, or violence. In fact, those actions detract from the underlying message that calls for positive change in America.

I am glad that leaders like JOHN LEWIS, my dear friend and former colleague from the House of Representatives, has made that point. His voice on the subject is much more articulate and more convincing. He has reminded us that if we are to move America to the place where it must be, then we must do it in a nonviolent fashion within the law, not breaking the law.

His name was George Floyd, a 46-year-old African American. He died in the streets of Minneapolis with the knee of a police officer on his neck for almost 9 minutes. He cannot be forgotten. And all the others I have mentioned must also be remembered. It is time for us and it is time for our generation to say: Enough.

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

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

REMEMBERING GEORGE FLOYD

Ms. COLLINS. Mr. President, I rise today at a time of great sorrow, anger, and fear for our Nation. We face the confluence of a health crisis, an economic depression, and a killing that laid bare the racial injustice that still taints our country.

The horrific death of George Floyd in Minnesota was reprehensible. It was beyond a tragedy. It was a crime.

As Americans, we all need to frankly acknowledge and work to resolve our longstanding, ongoing struggles with racial inequality. The President should help to heal the racial divisions in this country. It is at times like this that a President needs to speak to the Nation to pledge to right wrongs and to calm inflamed passions.

The right to gather in protest of injustice is enshrined in our Constitution. The desire for reconciliation is in our national character. We must join

together to ensure that the legacy of George Floyd is of progress, not deepening division and hatred.

Let me be clear. The vast majority of our law enforcement officers are brave men and women devoted to protecting our families, our belongings, and our communities. They deserve our heartfelt gratitude as they willingly risk their lives for ours when danger strikes.

In Maine, we are fortunate to have so many terrific professional law enforcement officers devoted to their duty and devoted to doing what is right.

It is, however, imperative that we examine and act on the racial disparities in law enforcement where they occur.

I cannot believe that George Floyd would have had his neck stepped on and the life squeezed out of him had he been White. Sadly, there are many other examples as well.

I remember our own Senator TIM SCOTT describing his being stopped by a police officer while driving many times during one year, even though he was abiding by all the traffic laws. That is harassment and simply wrong.

In confronting these problems, we would do well to heed the words of Congressman LEWIS in response to the violence that overwhelmed peaceful protests in his city of Atlanta last weekend. Of course, we all know that the Congressman is a civil rights icon as well as an extraordinary Member of Congress. He said this:

Justice has, indeed, been denied for far too long. Rioting, looting, and burning is not the way. Organize. Demonstrate. Sit-in. Stand-up. Vote. Be constructive, not destructive. History has proven time and again that non-violent, peaceful protest is the way to achieve the justice and equality that we all deserve.

Those are powerful words from Congressman LEWIS. Those are words that should motivate and guide all of us.

Dr. Martin Luther King, Jr., once said:

Darkness cannot drive out darkness; only light can do that. Hate cannot drive out hate; only love can do that.

By continuing to listen to one another and being guided by the words of Congressman LEWIS, Dr. Martin Luther King, and the mayor of Atlanta, we can work toward improving social justice and eliminating racial disparities in this country, and we can drive out the forces of bigotry.

Thank you.

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.

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

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

RESERVATION OF LEADER TIME

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

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

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 legislative clerk read the nomination of John Leonard Badalamenti, of Florida, to be United States District Judge for the Middle District of Florida.

NOMINATION OF JOHN LEONARD BADALAMENTI

Mr. SCOTT of Florida. Mr. President, I rise today to proudly support the confirmation of Judge John Badalamenti to serve as a U.S. District Court Judge for the Middle District of Florida. Judge Badalamenti has a distinguished record of public service, during which he has demonstrated a deep and abiding respect for the rule of law and a commitment to upholding the U.S. Constitution.

He served as an Assistant Federal Defender in the Middle District of Florida for nearly a decade, and, as Governor of Florida, I had the privilege to appoint him to the Second District Court of Appeal in 2015. During his time on the State appellate bench, he has consistently demonstrated his keen legal acumen and devotion to upholding the proper function of the judiciary in our democratic system.

I am proud of the work he has done, and I am proud to support his confirmation to the Federal bench today, where he will continue to serve our State and Nation well.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Badalamenti nomination?

Ms. CANTWELL. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Tennessee (Mrs. BLACKBURN), the Senator from North Carolina (Mr. BURR), the Senator from North Dakota (Mr. CRAMER), the Senator from Montana (Mr. DAINES), the Senator from North Dakota (Mr. HOEVEN), the Senator from Kansas (Mr. MORAN), the Senator from Alaska (Ms. MURKOWSKI), the Senator from Kansas (Mr. ROBERTS), the Senator from South Dakota (Mr. ROUNDS), and the Senator from Nebraska (Mr. SASSE).

Further, if present and voting, the Senator from North Dakota (Mr. HOEVEN) would have voted "Yea" and

the Senator from Kansas (Mr. MORAN) would have voted "Yea."

Mr. DURBIN. I announce that the Senator from Maryland (Mr. CARDIN), the Senator from New Mexico (Mr. HEINRICH), the Senator from Vermont (Mr. LEAHY), the Senator from Massachusetts (Mr. MARKEY), the Senator from Michigan (Ms. STABENOW), the Senator from Oregon (Mr. MERKLEY), the Senator from Washington (Mrs. MURRAY), the Senator from Vermont (Mr. SANDERS), the Senator from Hawaii (Mr. SCHATZ), the Senator from Montana (Mr. TESTER), the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from New Mexico (Mr. UDALL), and the Senator from Connecticut (Mr. MURPHY) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 55, nays 22, as follows:

[Rollcall Vote No. 103 Ex.]

YEAS—55

Alexander	Gardner	Peters
Barrasso	Graham	Portman
Blunt	Grassley	Reed
Boozman	Hassan	Risch
Braun	Hawley	Romney
Capito	Hyde-Smith	Rubio
Carper	Inhofe	Scott (FL)
Cassidy	Johnson	Scott (SC)
Collins	Jones	Shaheen
Cornyn	Kennedy	Shelby
Cotton	King	Sinema
Crapo	Lankford	Sullivan
Cruz	Lee	Thune
Duckworth	Loeffler	Tillis
Durbin	Manchin	Toomey
Enzi	McConnell	Wicker
Ernst	McSally	Young
Feinstein	Paul	
Fischer	Perdue	

NAYS—22

Baldwin	Cortez Masto	Schumer
Bennet	Gillibrand	Smith
Blumenthal	Harris	Van Hollen
Booker	Hirono	Warner
Brown	Kaine	Warren
Cantwell	Klobuchar	Wyden
Casey	Menendez	
Coons	Rosen	

NOT VOTING—23

Blackburn	Markey	Sanders
Burr	Merkley	Sasse
Cardin	Moran	Schatz
Cramer	Murkowski	Stabenow
Daines	Murphy	Tester
Heinrich	Murray	Udall
Hoehn	Roberts	Whitehouse
Leahy	Rounds	

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's actions.

ORDER OF PROCEDURE

Mr. MCCONNELL. Mr. President, I ask unanimous consent that notwithstanding the provisions of rule XXII, the cloture motions filed on May 21 ripen at 11:45 a.m. tomorrow. I further ask unanimous consent that if cloture is invoked on the Mercado nomination, the postcloture time expire at 2:15 tomorrow. Further, I ask that if cloture is invoked on the Miller nomination, the postcloture time expire at 4:30 p.m.

tomorrow. Finally, if either of the nominations are confirmed, the motions 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.

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.

(At the request of Mr. DURBIN, the following statement was ordered to be printed in the RECORD.)

VOTE EXPLANATION

• Mr. TESTER. Mr. President, I was absent when the Senate voted on vote No. 103 to confirm Executive Calendar No. 602, John Leonard Badalamenti, of Florida, to be United States District Judge for the Middle District of Florida.

On this vote, had I been present, I would have voted yea on the motion to confirm Mr. Badalamenti.●

MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURNMENT

Under the authority of the order of the Senate of January 3, 2019, the Secretary of the Senate, on May 28, 2020, during the adjournment of the Senate, received a message from the House of Representatives announcing that the House has passed the following bills, without amendment:

S. 2746. An act to require the Director of the Federal Bureau of Investigation to provide information on suicide rates in law enforcement, and for other purposes.

S. 3744. An act to condemn gross human rights violations of ethnic Turkic Muslims in Xinjiang, and calling for an end to arbitrary detention, torture, and harassment of these communities inside and outside China.

Under the authority of the order of the Senate of January 3, 2019, the Secretary of the Senate, on May 28, 2020, during the adjournment of the Senate, received a message from the House of Representatives announcing that pursuant to section 201(b) of the International Religious Freedom Act of 1998 (22 U.S.C. 6431), and the order of the House of January 3, 2019, the Speaker appoints the following individual on the part of the House of Representatives to the Commission on International Religious Freedom for a term ending on May 14, 2022: Mr. Nury Turkel of Alexandria, Virginia, to succeed Dr. Tenzin Dorjee.

Under the authority of the order of the Senate of January 3, 2019, the Sec-

retary of the Senate, on May 28, 2020, during the adjournment of the Senate, received a message from the House of Representatives announcing that pursuant to section 4003(e) of the 21st Century Cures Act (Public Law 114-255), and the order of the House of January 3, 2019, the Speaker reappoints the following individual on the part of the House of Representatives to the Health Information Technology Advisory Committee: Dr. Steven Lane of Palo Alto, California.

Under the authority of the order of the Senate of January 3, 2019, the Secretary of the Senate, on May 28, 2020, during the adjournment of the Senate, received a message from the House of Representatives announcing that pursuant to 42 U.S.C. 300jj-12, the Minority Leader appoints the following member to the Health Information Technology Advisory Committee, effective May 22, 2020: Dr. Jim Jirjis of Nashville, Tennessee.

MESSAGE FROM THE HOUSE

At 3:02 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced the House has passed the following bill, without amendment:

S. 3414. An act to authorize major medical facility projects for the Department of Veterans Affairs for fiscal year 2020, and for other purposes.

The message also announced that the House has passed the following bills, in which it requests the concurrence of the Senate;

H.R. 6168. An act to increase, effective as of December 1, 2020, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, and for other purposes.

H.R. 6509. An act to amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide public safety officer death and disability benefits for certain public safety officers who contract COVID-19, and for other purposes.

H.R. 7010. An act to amend the Small Business Act and the CARES Act to modify certain provisions related to the forgiveness of loans under the paycheck protection program, to allow recipients of loan forgiveness under the paycheck protection program to defer payroll taxes, and for other purposes.

The message further announced the House has passed the following bill, with an amendment, in which it requests the concurrence of the Senate:

S. 3084. An act to amend title 38, United States Code, to modify the limitation on pay for certain high-level employees and officers of the Department of Veterans Affairs.

The message also announced that the House disagreed to the amendments of the Senate numbered 1 through 8 to the bill (H.R. 6172) to amend the Foreign Intelligence Surveillance Act of 1978 to prohibit the production of certain business records, and for other purposes, and asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. NADLER, Mr. SCHIFF, Ms. LOFGREN, Mr. JORDAN,

and Mr. NUNES, be the managers of the conference on the part of the House.

MEASURES REFERRED

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

H.R. 6168. An act to increase, effective as of December 1, 2020, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, and for other purposes; referred to the Committee on Veterans' Affairs.

H.R. 6509. An act to amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide public safety officer death and disability benefits for certain public safety officers who contract COVID-19, and for other purposes; referred to the Committee on the Judiciary.

MEASURES PLACED ON THE CALENDAR

The following bills were read the second time, and placed on the calendar:

S. 3833. A bill to extend the loan forgiveness period for the paycheck protection program, and for other purposes.

H.R. 6800. An act making emergency supplemental appropriations for the fiscal year ending September 30, 2020, and for other purposes.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. JOHNSON, from the Committee on Homeland Security and Governmental Affairs, with an amendment in the nature of a substitute:

S. 1363. A bill to authorize an AI Center of Excellence within the General Services Administration, and for other purposes (Rept. No. 116-225).

By Mr. JOHNSON, from the Committee on Homeland Security and Governmental Affairs, with amendments:

S. 2769. A bill to eliminate or modify certain Federal agency reporting requirements, and for other purposes (Rept. No. 116-226).

By Mr. JOHNSON, from the Committee on Homeland Security and Governmental Affairs, with an amendment in the nature of a substitute:

S. 3207. A bill to require the Director of the Cybersecurity and Infrastructure Security Agency to establish a Cybersecurity State Coordinator in each State, and for other purposes (Rept. No. 116-227).

H.R. 2066. An act to amend the Homeland Security Act of 2002 to establish the Intelligence Rotational Assignment Program in the Department of Homeland Security, and for other purposes (Rept. No. 116-228).

H.R. 4739. An act to amend the Homeland Security Act of 2002 to protect U.S. Customs and Border Protection officers, agents, other personnel, and canines against potential synthetic opioid exposure, and for other purposes (Rept. No. 116-229).

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. PAUL:

S. 3845. A bill to end the practice of including more than one subject in a single bill by requiring that each bill enacted by Congress be limited to only one subject, and for other purposes; to the Committee on Rules and Administration.

By Mr. SCHUMER (for Mr. SCHATZ (for himself, Mrs. BLACKBURN, Mr. COONS, Ms. MURKOWSKI, Mr. DURBIN, Mr. WHITEHOUSE, Mr. BENNET, Ms. SMITH, Ms. DUCKWORTH, Mr. KAINE, Mr. BLUMENTHAL, Mrs. SHAHEEN, Mrs. MURRAY, Ms. WARREN, Mr. TESTER, Mr. MARKEY, Mrs. FEINSTEIN, Mr. BROWN, and Mr. BOOKER)):

S. 3846. A bill to observe the lives lost in the United States due to the COVID-19 pandemic; considered and passed.

By Ms. WARREN:

S. 3847. A bill to amend the Public Health Service Act to establish an Emergency Office of Manufacturing for Public Health, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. WARREN (for herself, Mr. MERKLEY, Ms. SMITH, and Mr. MARKEY):

S. 3848. A bill to create a Coronavirus Containment Corps; to the Committee on Health, Education, Labor, and Pensions.

By Ms. WARREN (for herself, Mrs. MURRAY, Ms. SMITH, Ms. BALDWIN, Mr. BLUMENTHAL, Mr. BROWN, Mr. CARDIN, Ms. HARRIS, and Ms. KLOBUCHAR):

S. 3849. A bill to extend limitation periods for labor and employment laws, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. WARREN (for herself, Ms. HARRIS, Mr. BOOKER, Mr. MARKEY, Mr. MERKLEY, Mr. DURBIN, Mr. VAN HOLLEN, Ms. BALDWIN, Mr. CARPER, Mr. KAINE, Mr. CARDIN, Ms. KLOBUCHAR, Mr. SANDERS, Mr. WHITEHOUSE, Mr. BLUMENTHAL, Mr. BROWN, Mr. WARNER, Ms. STABENOW, Mr. PETERS, and Mr. WYDEN):

S. 3850. A bill to require the Centers for Disease Control and Prevention to collect and report certain data concerning COVID-19; to the Committee on Health, Education, Labor, and Pensions.

By Ms. WARREN (for herself, Mr. BLUMENTHAL, Mr. MARKEY, Mrs. MURRAY, Mr. MERKLEY, Mr. VAN HOLLEN, Mr. WYDEN, Mr. SANDERS, and Ms. HIRONO):

S. 3851. A bill to prohibit high-level appointees in the Department of Justice from participating in particular matters in which the President, a relative of the President, or an individual associated with the campaign of the President is a party; to the Committee on the Judiciary.

By Ms. WARREN:

S. 3852. A bill to enhance protections of civilians during United States military operations, and for other purposes; to the Committee on Armed Services.

By Ms. WARREN (for herself and Ms. HARRIS):

S. 3853. A bill to prevent price gouging during emergencies, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Ms. WARREN (for herself and Mr. PORTMAN):

S. 3854. A bill to amend the Servicemembers Civil Relief Act to clarify the authority of servicemembers who incur a catastrophic injury or illness while in military service to terminate leases of premises and motor vehicles, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. WARREN (for herself, Mr. BLUMENTHAL, Mr. COONS, Mr.

MERKLEY, Mr. MARKEY, Ms. HARRIS, Mr. UDALL, Mr. SANDERS, Mr. WYDEN, Mr. BOOKER, Mr. DURBIN, Ms. KLOBUCHAR, Ms. HIRONO, and Mr. HEINRICH):

S. 3855. A bill to ensure ethical and accountable use of COVID-19 relief funds, to prevent corruption and bias in the disbursement and supervision of those funds, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Ms. WARREN (for herself, Ms. HIRONO, Mrs. GILLIBRAND, Mr. WYDEN, Mr. SANDERS, Mr. VAN HOLLEN, Mr. DURBIN, Mr. MERKLEY, Mr. BROWN, Mr. BLUMENTHAL, Mr. MARKEY, Mr. SCHATZ, Mr. CARDIN, Ms. KLOBUCHAR, Ms. SMITH, and Mrs. FEINSTEIN):

S. 3856. A bill to authorize emergency homeless assistance grants under the Emergency Solutions Grants program of the Department of Housing and Urban Development for response to the public health emergency relating to COVID-19, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mrs. LOEFFLER:

S. 3857. A bill to cap the benefits received under the Federal Pandemic Unemployment Compensation program at prior wages; to the Committee on Finance.

By Ms. WARREN:

S. 3858. A bill to authorize the Administrator of the Federal Emergency Management Agency to become the sole owner and distributor of certain medical equipment in the event of a covered emergency; to establish a Joint Congressional Committee on Defense Production; and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mrs. LOEFFLER:

S. 3859. A bill to extend the covered period for the paycheck protection program, and for other purposes; to the Committee on Finance.

By Mrs. LOEFFLER:

S. 3860. A bill to provide for a method by which the economic costs of significant regulatory actions may be offset by the repeal of other regulatory actions, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Ms. CANTWELL (for herself and Mr. CASSIDY):

S. 3861. A bill to establish privacy requirements for operators of infectious disease exposure notification services; to the Committee on Commerce, Science, and Transportation.

ADDITIONAL COSPONSORS

S. 2043

At the request of Mr. BLUMENTHAL, the name of the Senator from Nevada (Ms. ROSEN) was added as a cosponsor of S. 2043, a bill to provide incentives for hate crime reporting, provide grants for State-run hate crime hotlines, and establish alternative sentencing for individuals convicted under the Matthew Shephard and James Byrd, Jr. Hate Crimes Prevention Act.

S. 2143

At the request of Ms. WARREN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 2143, a bill to amend the Food and Nutrition Act of 2008 to expand the eligibility of students to participate in the supplemental nutrition assistance program, and for other purposes.

S. 2208

At the request of Mr. SCOTT of Florida, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 2208, a bill to require online retailers to prominently disclose product country-of-origin information, and for other purposes.

S. 2235

At the request of Ms. WARREN, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 2235, a bill to discharge the qualified loan amounts of each individual, and for other purposes.

S. 2733

At the request of Mr. ROMNEY, the name of the Senator from Arizona (Ms. MCSALLY) was added as a cosponsor of S. 2733, a bill to save and strengthen critical social contract programs of the Federal Government.

S. 2815

At the request of Mr. SCHUMER, the names of the Senator from New Hampshire (Mrs. SHAHEEN), the Senator from South Dakota (Mr. ROUNDS), the Senator from Massachusetts (Ms. WARREN), the Senator from Pennsylvania (Mr. CASEY), the Senator from Florida (Mr. RUBIO) and the Senator from New Mexico (Mr. HEINRICH) were added as cosponsors of S. 2815, a bill to require the Secretary of the Treasury to mint coins in commemoration of the National Purple Heart Honor Mission.

S. 3043

At the request of Mr. INHOFE, the name of the Senator from Nebraska (Mrs. FISCHER) was added as a cosponsor of S. 3043, a bill to modernize training programs at aviation maintenance technician schools, and for other purposes.

S. 3189

At the request of Mr. WARNER, the names of the Senator from Nebraska (Mr. SASSE) and the Senator from Maine (Mr. KING) were added as cosponsors of S. 3189, a bill to use proceeds from spectrum auctions to support supply chain innovation and multilateral security.

S. 3510

At the request of Ms. WARREN, the names of the Senator from Massachusetts (Mr. MARKEY), the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Hawaii (Ms. HIRONO), the Senator from California (Ms. HARRIS) and the Senator from New Jersey (Mr. BOOKER) were added as cosponsors of S. 3510, a bill to transfer all border wall funding to the Department of Health and Human Services and USAID to combat coronavirus.

S. 3612

At the request of Mr. CORNYN, the names of the Senator from Kansas (Mr. ROBERTS) and the Senator from South Dakota (Mr. ROUNDS) were added as cosponsors of S. 3612, a bill to clarify for purposes of the Internal Revenue Code of 1986 that receipt of coronavirus assistance does not affect the tax treatment of ordinary business expenses.

S. 3685

At the request of Mr. BROWN, the names of the Senator from New Mexico (Mr. UDALL), the Senator from Nevada (Ms. ROSEN) and the Senator from Connecticut (Mr. MURPHY) were added as cosponsors of S. 3685, a bill to provide emergency rental assistance under the Emergency Solutions Grants program of the Secretary of Housing and Urban Development in response to the public health emergency resulting from the coronavirus, and for other purposes.

S. 3749

At the request of Mr. BLUMENTHAL, the names of the Senator from New Jersey (Mr. BOOKER), the Senator from New Jersey (Mr. MENENDEZ) and the Senator from Maine (Mr. KING) were added as cosponsors of S. 3749, a bill to protect the privacy of health information during a national health emergency.

S. 3754

At the request of Ms. CORTEZ MASTO, the names of the Senator from Nevada (Ms. ROSEN) and the Senator from Idaho (Mr. RISCH) were added as cosponsors of S. 3754, a bill to amend the Omnibus Public Land Management Act of 2009 to make a technical correction to the water rights settlement for the Shoshone-Paiute Tribes of the Duck Valley Reservation, and for other purposes.

S. 3793

At the request of Mr. WARNER, the names of the Senator from Massachusetts (Mr. MARKEY) and the Senator from New Jersey (Mr. MENENDEZ) were added as cosponsors of S. 3793, a bill to amend the CARES Act to modify the employee retention tax credit to secure the paychecks and benefits of workers, to provide a refundable credit against payroll taxes for the operating costs of employers, to amend the Internal Revenue Code of 1986 to provide a small business rebate, and for other purposes.

S. 3805

At the request of Mr. KING, the names of the Senator from Texas (Mr. CORNYN), the Senator from Arizona (Ms. SINEMA) and the Senator from Rhode Island (Mr. REED) were added as cosponsors of S. 3805, a bill to amend the Small Business Act and the CARES Act to modify certain provisions related to the forgiveness of loans under the paycheck protection program, to allow recipients of loan forgiveness under the paycheck protection program to defer payroll taxes, and for other purposes.

S. 3833

At the request of Mr. RUBIO, the names of the Senator from Indiana (Mr. YOUNG), the Senator from Arizona (Ms. MCSALLY) and the Senator from Delaware (Mr. COONS) were added as cosponsors of S. 3833, a bill to extend the loan forgiveness period for the paycheck protection program, and for other purposes.

S. 3837

At the request of Mr. SCOTT of Florida, the name of the Senator from Lou-

isiana (Mr. KENNEDY) was added as a cosponsor of S. 3837, a bill to require a thorough national security evaluation and clearance by the Department of Homeland Security, the Department of State, and the Federal Bureau of Investigation of all Chinese student visa holders currently in the United States before issuing any new student visas to nationals of the People's Republic of China.

S. 3841

At the request of Mr. BROWN, the names of the Senator from New York (Mr. SCHUMER), the Senator from Rhode Island (Mr. REED) and the Senator from Maryland (Mr. VAN HOLLEN) were added as cosponsors of S. 3841, a bill to protect 2020 recovery rebates for individuals from assignment or garnishment, and for other purposes.

S. RES. 279

At the request of Mr. CASSIDY, the name of the Senator from Georgia (Mrs. LOEFFLER) was added as a cosponsor of S. Res. 279, a resolution calling for the designation of Antifa as a domestic terrorist organization.

S. RES. 586

At the request of Mr. INHOFE, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. Res. 586, a resolution designating the week of May 17 through May 23, 2020, as "National Public Works Week".

S. RES. 596

At the request of Mr. HAWLEY, the names of the Senator from Texas (Mr. CRUZ), the Senator from Utah (Mr. ROMNEY) and the Senator from Indiana (Mr. BRAUN) were added as cosponsors of S. Res. 596, a resolution expressing the sense of the Senate that the Hong Kong national security law proposed by the Government of the People's Republic of China would violate the obligations of that government under the 1984 Sino-British Joint Declaration and the Hong Kong Basic Law and calling upon all free nations of the world to stand with the people of Hong Kong.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. SCHUMER (for Mr. SCHATZ (for himself, Mrs. BLACKBURN, Mr. COONS, Ms. MURKOWSKI, Mr. DURBIN, Mr. WHITEHOUSE, Mr. BENNET, Ms. SMITH, Ms. DUCKWORTH, Mr. KAINE, Mr. BLUMENTHAL, Mrs. SHAHEEN, Mrs. MURRAY, Ms. WARREN, Mr. TESTER, Mr. MARKEY, Mrs. FEINSTEIN, Mr. BROWN, and Mr. BOOKER)):

S. 3846. A bill to observe the lives lost in the United States due to the COVID-19 pandemic; considered and passed.

S. 3846

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "COVID-19 Pandemic Moment of Silence Act".

SEC. 2. MOMENT OF SILENCE FOR THE VICTIMS OF THE COVID-19 PANDEMIC.

The President shall issue a proclamation calling on the people of the United States to observe a moment of silence at 12:00pm (local time) on Monday, June 1, 2020, as a mark of respect to the memory of the more than 100,000 lives lost in the United States due to the COVID-19 pandemic, and their families.

COVID-19 PANDEMIC MOMENT OF SILENCE ACT

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 3846, which was introduced earlier today.

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

The legislative clerk read as follows:

A bill (S. 3846) to observe the lives lost in the United States due to the COVID-19 pandemic.

There being no objection, the Senate proceeded to consider the bill.

Mr. McCONNELL. I further ask unanimous consent that the bill be considered read three times and passed and that the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The bill (S. 3846) was ordered to be engrossed for a third reading, was read the third time, and passed as follows:

S. 3846

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “COVID-19 Pandemic Moment of Silence Act”.

SEC. 2. MOMENT OF SILENCE FOR THE VICTIMS OF THE COVID-19 PANDEMIC.

The President shall issue a proclamation calling on the people of the United States to observe a moment of silence at 12:00pm (local time) on Monday, June 1, 2020, as a mark of respect to the memory of the more than 100,000 lives lost in the United States due to the COVID-19 pandemic, and their families.

ORDERS FOR TUESDAY, JUNE 2, 2020

Mr. McCONNELL. Now, Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m.; 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 Mercado nomination; finally, that the Senate recess following the cloture vote on Mercado until 2:15 p.m. to allow for the weekly conference meetings.

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 6:20 p.m., adjourned until Tuesday, June 2, 2020, at 10 a.m.

CONFIRMATION

Executive nomination confirmed by the Senate June 01, 2020:

THE JUDICIARY

JOHN LEONARD BADALAMENTI, OF FLORIDA, TO BE UNITED STATES DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF FLORIDA.