

hoped Comey would let the whole Flynn thing go. That is what the hook was to getting a special counsel appointed.

Not once in Comey's memos did he mention that by the time that conversation occurred, he had already authorized the Flynn case to be closed. Don't you think that is a material fact that would put the proper context on his interactions with Trump?

Attorney General Barr is exactly right. What the FBI did to Flynn cannot be justified by any angle of review. What the FBI did is to flout the rules, the law, and the Constitution. Entrapment is unconstitutional.

That is where the outrage ought to be—not on the dismissal of the case but on facts that the case was brought in the first place and a good man's life was destroyed.

Mueller had all these facts. He had documents. He had the Brady material. He had the FBI notes and contradictory 302 summaries. He had the emails. He had all the information that showed Flynn was set up, targeted, and pressured to plead guilty in a secret side deal between the Mueller team and his former lawyers, only because he was running out of money and the government was coming after his son.

Flynn did what maybe a lot of people would do when your family is at stake. Flynn did what he did to save his family from financial ruin and his son from reputational ruin. He did what any father would do for his family.

If it can happen to Flynn, it can happen to you. It can happen to any American, and, in some ways, this also happened to a person named Carter Page and with the illegal surveillance on Carter Page.

You know, in this business of self-government and this business of constitutional safeguards, we still are in a constant battle between liberty and tyranny, and we have seen some tyranny in regard to Flynn. My fellow Americans, let's use the Russia investigation and all of its shortcomings to forever guard against the tyranny of the Federal Government.

On one last thing, people are constantly phoning our offices and wanting to know when all the people who did the injustice to Flynn are going to be prosecuted, because they think there are two standards of justice. You know, they announced yesterday that McCabe isn't going to be prosecuted. But Flynn was entrapped to be prosecuted, and how wrong that is. A lot of people want justice brought to the people who did the injustice, and I think they ought to be prosecuted.

But even more important than prosecuting him, it is about time that these facts get out so the public knows the injustice that is going on within our government, within the FBI, in the highest levels of the FBI.

We aren't finding fault with the people in the FBI who are doing what needs to be done to bring law and order to our country, but when we have these

unusual, illegal, unconstitutional, corrupt things that happened to Flynn, it ought to wake up the American people. It ought to wake up those of us in government to make sure it never happens again.

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.

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

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

#### NATIONAL POLICE WEEK

Mr. BOOZMAN. Madam President, I rise today to recognize the National Police Week in honor of the men and women who serve and protect our communities. The individuals called to uphold the rule of law do so in times of crisis, and they serve their families, friends, and neighbors at a moment's notice. They are selfless public servants who courageously face danger head-on.

Law enforcement officers respond to calls for help while not knowing what challenges they will face. We are in a unique time right now and experiencing unprecedented challenges in our country. Law enforcement officers are working to protect citizens while also safeguarding themselves against the unseen enemy of COVID-19.

The disease has forced departments in Arkansas and all over the country to change protocols in order to prevent the spread of the disease, but that hasn't stopped the resolve, the determination, and the passion of officers to defend the community. Despite this new challenge, they continue to serve with the same level of professionalism and integrity.

We are working to provide departments and agencies with additional resources to safeguard these public safety officers. I am pleased the Department of Justice recently awarded Arkansas near \$7 million so we can better serve the safety needs of officers in the State and get them personal protective equipment—gloves, masks, and sanitizer—that they need in order to perform their job safely. This funding is vital as the calls for assistance keep coming and police officers continue to respond to these emergencies.

I want to thank our law enforcement officers for their bravery today and always. It takes a special person to put their life on the line every day to protect our communities. We are fortunate to have some of the very best in Arkansas.

National Police Week is a time that we honor the sacrifices of individuals who selflessly serve their community and give their lives, if necessary, while in the line of duty. We preserve their legacies by adding their names to the National Law Enforcement Officers Memorial in Washington, DC, to serve as a reminder of their sacrifices.

This year, the names of 307 fallen officers will be added to the memorial, including five Arkansans. The names of Game Warden Ollie Mitts, Deputy Sheriff George Rogers, Deputy Sheriff Ulyss Baldwin, Fayetteville Police Officer Stephen Carr, and Stone County Sergeant Michael Stephen, Sr. are new to the memorial. We will remember forever them as heroes.

I am a proud cosponsor of the Senate resolution marking National Police Week because we must always remember the brave officers whose lives were cut short because of their public duty and recognize those who continue to selfishly serve to keep us safe.

I am proud to honor the individuals who are called to serve and protect and will advocate for policies that provide our communities and officers with the resources they need to protect themselves.

Thank you to the officers in Arkansas and those all across the country for upholding the law, protecting the community, and saving lives.

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.

Mrs. BLACKBURN. 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.

#### PROTECTING HUMAN RIGHTS DURING PANDEMIC ACT

Mrs. BLACKBURN. Mr. President, to all of my colleagues and to our staff here in the Chamber, those who are mothers, I hope they had a wonderful Mother's Day weekend, and it is a joy to return to work today. I will tell you, I am really blessed to have some of those moms. They are policy experts, and they are a part of my staff. I listen a lot to what they have to say.

Like with all of our staff, I admire their dedication and their focus—especially now and especially when it comes to discussing how this COVID crisis is affecting their children, how they are learning and how they are utilizing technology to communicate and practicing distance learning and hearing what schools are doing as they are all going through a learning curve. We are all going through a learning curve on how to utilize technology.

The thing that is so significant, as I talked to so many of these working moms and dads, what we realize and they realize and what they highlight with me is that embodied in this technology, we have a lot of dangers that exist and vulnerabilities that are being created to the privacy of our children.

Long before students were forced to attend classes via webcam, Congress began taking a hard look at how the companies providing digital classrooms were protecting what I term the "virtual you"—you and your presence online—how they were protecting that virtual you of underage users.

As it turns out, what we found in the work that we were doing—some of it I did while I was in the House, as chairman of the Subcommittee on Communications and Technology of Energy and Commerce, and some of that work I continued here. But back in 2015, as we started doing a deeper dive on what was happening with protecting privacy and presence online, the Electronic Frontier Foundation filed a complaint with the FTC against Google, alleging that their Google for Education platform was exploiting students' personal information and potentially exposing it to third parties.

Think about this. The Google for Education program—kids were logging on, and they were using this. Google—what were they doing? Data mining. What were they doing with what they were data mining, which is your information? They were then sharing that with third parties. And guess what. You didn't know. The parents didn't know, and the children didn't know. What we found out was that one wrong click, and any program administrator could expose a student's virtual you to potential outside websites. A 2017 report from the Electronic Frontier Foundation confirmed and expanded on these concerns. Even free products can come at the cost of student privacy.

Last month, Google donated 4,000 Chromebooks to students in rural California—4,000 Chromebooks. That sounds like a very generous donation, a way to help close that digital divide, a way to connect students to the internet, to open up the world and bring the world in to them. The problem is that this year, the State of New Mexico sued Google over a similar program, alleging that Google was using Chromebooks to track students. Well, how about that? Here you go. Here is a free Chromebook. Use it. But what happens? All of that research work you were doing via Google is being data-mined, tracked, and shared.

We need to be wary of these free programs because what we now know is that when it is free, you and your information and your child's information is tracked, it is data-mined, and it is shared. That means that you and your information are the product—the freebie, if you will. The Chromebook is simply the way, the mechanism to take your information from you and allow Google or Big Tech to have it, and then they sell it to somebody over here who is going to do what with it? Guess what. They are going to be marketing back to you. That data is a valuable resource, and what do they do once they have data-mined it? They are going to sell it to whoever is willing to pay the highest price so they can use it and market back to you and your kids something that they want you to buy. Now, that is what is happening.

I am sure everyone remembers the video platform Zoom. Many of us have probably used it in meetings even today. Zoom was thrust into the spotlight as we started this COVID crisis,

and after watchdogs uncovered not only a research and development presence in China but protocols that allowed data, including—now, I want you to listen to this. This is one of those buyer beware things—user beware. We are talking about Zoom. What was discovered was that Zoom allowed data, including screen captures and video—that means you on screen; you, your face, and video; what you are saying; the presentation you are making; the question you are asking—all of that to flow in and out of China.

Schools, corporations, and even Senate offices have all been forced to question this platform, to give up this platform and to find some other way to communicate. We know that many of our children are going to school in Zoom classrooms every day. In our churches, our choirs are singing on Zoom, and sermons are being delivered on Zoom.

The rise in mandatory use of technology by students prompted me, along with Senators MARKEY, HAWLEY, BLUMENTHAL, CASSIDY, and DURBIN, to ask the FTC to launch a major investigation into how these platforms are protecting student privacy. What we are wanting to know is, what are you doing to put that wall there so that the information of these underage users, these children, is not going to be shared? What are you doing to make certain that their faces, their images, their voices, and their questions are not going to be captured? Can you imagine anything more frightening than to think your child is sitting in a Zoom classroom, and this data is flowing to China, and somebody is capturing these images, and then that is going to be shared with somebody you don't know. You don't know what they are going to do with it, and you don't know why they want it, and you, as a parent, have chosen to completely stay off social media because you don't want that kind of intrusion into your child's life.

Don't you think that these corporations ought to figure this out, that this is an area of concern for moms and dads and grandmoms and granddads, to protect these children? Oh, but it doesn't matter to China, does it? All China is interested in is making a buck off the American consumer. They feel like, if you use our service, we have got that right. I think we need to be sending a message to them.

Both the education technology and the digital advertising industries are notoriously opaque about their privacy policies. I am joined by other members of the Judiciary Committee Tech Task Force in having conversations with many of these companies, and I will tell you, we have made some progress. I have been pleased with many of the companies' willingness to share with us some of these policies and to look for ways that we can protect unsuspecting consumers and our precious children.

Since the FTC is preparing to consider revisions to the Children's Online

Privacy Protection Act, COPPA, now is the perfect time. It is the necessary time for a deep dive into the data collection and processing practices of these firms.

You know what, sometimes we hear the phrase "Oh, let's do it for the children." "This is for the children." "We have to do this or that for the children." Let me tell you something right now: This is one of those things that are absolutely for the children, to protect them online so that Big Tech and some of these China-owned companies—and bear in mind, colleagues, if you are doing business in China and if you are a company in China, who are you owned by? Who do you answer to? You answer to the Chinese Communist Party. I will tell you right now, I do not want them to have images of our children, data on where they sit, where they go to school, and what their interests are.

These privacy policies have to be reviewed. We want to make absolutely sure that the FTC has all the facts they need to be certain we keep children safe online. Section 6 of the FTC Act empowers them to do this. I urge agency officials to make use of that authority. This is an imperative. The pandemic has shown us that it only takes a little disruption to prompt bad actors to take advantage of a situation.

Here in the U.S., even during a pandemic, we have the right to challenge laws that we feel are unjust. But in many places around the world, the pandemic has provided an opportunity for oppressive regimes to enact so-called emergency laws that restrict human rights without justification or oversight. China and Russia—two of the big offenders—have used the crisis to ramp up their use of surveillance to restrict privacy and freedom of movement. "We have to do it. We have a pandemic." That is what they say.

In Bolivia and the Philippines, government officials are using the pandemic as an excuse to silence their legislative bodies and punish critics. "Oh, leave it to us. We are going to be able to solve this. You don't need to weigh in." That is what they are saying.

In Cambodia, Venezuela, Belarus, Egypt, Turkey, South Africa, and many other countries, officials are following China's playbook and preventing the journalists from publishing news that contradicts official propaganda. "Don't bother with the truth. We are going to make up a version of the truth and then that is what we are going to tell people. Don't listen to anything else. Listen to us. We have truth coming at you. We are making it up as we go." That is what they are saying.

The way they are using surveillance to limit freedom and to craft a message is something that should frighten everyone. It is all happening under the guise of "combating COVID-19."

So last week, Senator MARKEY and I filed a bill that will help address these

abuses. I thank Senator MARKEY for the great work he does on human rights and also the work he and I did on the House on online privacy.

The Protecting Human Rights During Pandemic Act would require the State Department and the U.S. Agency for International Development—or USAID—to take actions to prevent human rights abuses in the name of coronavirus response. The bill authorizes funding through 2025 for programs that support human rights defense during and in the aftermath of harmful responses to the pandemic. Congress would receive strategic plans from the State Department and USAID detailing how those funds are being put to use, as well as regular reports on human rights violations perpetrated in the name of pandemic response.

The spread of COVID-19 has forced businesses, families, and governments to take extraordinary measures to protect human life. Some have proven effective; unfortunately, others are missing the mark. We still have much to do in terms of pandemic response, and we continue to work on it every day. But I encourage my colleagues not to let the severity of our situation distract from our responsibility to set an example for the rest of the world.

I yield the floor.

The PRESIDING OFFICER. The Senator from Idaho is recognized.

NOMINATION OF BRIAN D. MONTGOMERY

Mr. CRAPO. Mr. President, I rise today to urge my colleagues to confirm Brian Montgomery as the next Deputy Secretary of the U.S. Department of Housing and Urban Development. Mr. Montgomery is among the most respected voices in the housing market, as well as one of the most experienced. His breadth of experience includes service as the head of the Federal Housing Administration—or FHA—during the Bush administration, the Obama administration, and the Trump administration.

Mr. Montgomery guided FHA through the 2008 financial crisis and has provided steadfast leadership at the FHA through the ongoing COVID-19 pandemic, arguably the two most turbulent times for the housing market in a generation.

Prior to the COVID-19 outbreak, he oversaw the return of FHA's insurance fund to its strongest financial position since fiscal year 2007, while continuing to provide affordable homeownership opportunities to tens of thousands of first-time homebuyers each year. Since the outbreak, he has worked to make sure that FHA performs its traditional countercyclical role of maintaining liquidity and credit access in the mortgage market where traditional sources of home financing may have dried up.

For over a year now, Mr. Montgomery has also served in the capacity of Acting Deputy Secretary at HUD, where he has managed the day-to-day operations of the Department under Secretary Ben Carson. Mr. Montgomery knows the Department inside

and out and has been intimately involved in carrying out HUD's mission to create strong, sustainable, inclusive communities and quality affordable housing opportunities for millions of Americans.

He has been described by the National Multifamily Housing Council as "a housing policy veteran with deep expertise and experience across a wide variety of policy areas." The National Association of Homebuilders has noted that "throughout his government and private sector career, Brian has proven himself to be both an expert in affordable housing policy, as well as an outstanding Federal agency administrator and communicator."

This confirmation vote comes at a critical time. In the wake of COVID-19, we have already seen a huge number of mortgage borrowers enter forbearance, while many landlords are struggling to make ends meet, and countless renters are unsure where their next rent payment will come from. Homeless shelters are at or near capacity and facing novel issues related to social distancing, and the homeless community, who may be particularly exposed to the risk of contracting COVID-19, is leaning on HUD for help.

HUD has a central role to play in addressing these challenges and more. The CARES Act acknowledges this important role, entrusting HUD with over \$12 billion in additional funding to provide immediate relief and to address emerging issues. Bold leadership is especially needed during this critical time for HUD, and Mr. Montgomery is a trusted voice who fits the mold perfectly.

Fifteen years ago, this body confirmed Mr. Montgomery on a voice vote to serve as FHA Commissioner. Two years ago, we confirmed him as FHA Commissioner, again, on a strong bipartisan vote of 74–23.

I support Brian Montgomery, and I urge my colleagues to join me today in voting "yes" on his nomination.

Thank you.

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

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

CLOTURE MOTION

Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Brian D. Montgomery, of Texas, to be Deputy Secretary of Housing and Urban Development.

Mitch McConnell, Jerry Moran, James Lankford, John Barrasso, James E.

Risch, Steve Daines, David Perdue, Shelley Moore Capito, Tom Cotton, Cory Gardner, Marsha Blackburn, John Cornyn, Kevin Cramer, Tim Scott, Thom Tillis, Roger F. Wicker, Mike Crapo.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Brian D. Montgomery, of Texas, to be Deputy Secretary of Housing and Urban Development, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Florida (Mr. RUBIO), the Senator from Nebraska (Mr. SASSE), and the Senator from Pennsylvania (Mr. TOOMEY).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted "yea" and the Senator from Florida (Mr. RUBIO) would have voted "yea."

Mr. DURBIN. I announce that the Senator from Maryland (Mr. CARDIN), the Senator from Vermont (Mr. LEAHY), the Senator from Massachusetts (Mr. MARKEY), the Senator from Oregon (Mr. MERKLEY), the Senator from Washington (Mrs. MURRAY), the Senator from Vermont (Mr. SANDERS), and the Senator from Rhode Island (Mr. WHITEHOUSE) are necessarily absent.

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

The yeas and nays resulted—yeas 60, nays 29, as follows:

[Rollcall Vote No. 85 Ex.]

YEAS—60

Barrasso	Fischer	Murkowski
Bennet	Gardner	Murphy
Blackburn	Graham	Paul
Blunt	Grassley	Perdue
Boozman	Hawley	Portman
Braun	Hoover	Risch
Burr	Hyde-Smith	Roberts
Capito	Inhofe	Romney
Carper	Johnson	Rounds
Cassidy	Jones	Scott (FL)
Collins	Kennedy	Scott (SC)
Coons	King	Shelby
Cornyn	Lankford	Sinema
Cotton	Lee	Sullivan
Cramer	Loeffler	Tester
Crapo	Manchin	Thune
Cruz	McConnell	Tillis
Daines	McSally	Warner
Enzi	Menendez	Wicker
Ernst	Moran	Young

NAYS—29

Baldwin	Gillibrand	Schatz
Blumenthal	Harris	Schumer
Booker	Hassan	Shaheen
Brown	Heinrich	Smith
Cantwell	Hirono	Stabenow
Casey	Kaine	Udall
Cortez Masto	Klobuchar	Van Hollen
Duckworth	Peters	Warren
Durbin	Reed	Wyden
Feinstein	Rosen	