

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