

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