

[You're] doing nothing. Because that's not going to bring my brother back at all.

So the legitimate and important voices of peaceful protesters will never be heard over the wailing of fire alarms, the smashing of plate-glass windows, and the sirens of ambulances coming for police officers who have been assaulted or shot in the head.

Our Nation is united in horror and opposition to the violent killing of Mr. Floyd. We are united. It is well past time that we also unite on the side of peace in our streets and peace in our communities. We need to unite against these violent rioters, who seek only to aggrandize themselves and further damage a nation that needs healing.

#### BUSINESS BEFORE THE SENATE

Mr. McCONNELL. Madam President, on a totally different matter, obviously and unfortunately, this turmoil is not the only great challenge before us. Lest we forget, the healthcare fight against the worst viral pandemic in a century is still upon us. Our Nation is trying to smartly and safely reopen. Just as small businesses in some cities are sweeping up broken glass, American workers and entrepreneurs across the Nation are trying to rebuild the shattered prosperity our Nation was experiencing just a few months ago. Meanwhile, beyond our shores, our enemies and adversaries would be only too eager to catch the United States with our guard down.

So there is plenty of work before the Senate, and unlike the Democratic House of Representatives, which I understand may next appear here in Washington in about a month—in about a month—the Senate is present and working.

We are continuing to conduct oversight of our historic rescue package, the CARES Act, as it continues taking effect. I expect we will soon consider further bipartisan legislation to help the Paycheck Protection Program—the signature policy from Senators Rubio and Collins that has kept tens of millions of Americans employed—continue to work for our country.

As we pivot toward reopening, the Senate is also working on significant COVID-related legal protection so our Nation's schools, healthcare workers, and employers are not swamped with frivolous lawsuits and taxpayer dollars do not just stimulate the pockets of trial lawyers.

At the same time, critical vacancies remain throughout the Federal Government, and qualified nominees stand ready to fill them. So the Senate will work through two nominees to the Federal district courts and a number of important executive branch positions, including Assistant Secretary of Defense for Strategy, Plans, and Capabilities; Deputy Under Secretary of Defense; and the new Special Inspector General for Pandemic Recovery.

What is more, we also have all the important legislation that needed to

get done before the pandemic arrived in the first place. This month, we will turn to bipartisan legislation led by Senators Gardner and Daines to provide stable support for the Land and Water Conservation Fund and lasting stewardship of our natural resources. Their bill will safeguard our Nation's public lands for recreation and conservation and help generations of Americans continue to access and enjoy these treasures.

In the coming weeks, our colleagues on the Armed Services Committee will begin marking up the 60th consecutive, annual National Defense Authorization Act. I know our colleagues need no reminder of how important that task is; neither do our men and women in uniform. The COVID-19 crisis makes it more urgent, not less urgent, that we continue to authorize investments in our servicemembers and their families and in advancing and accelerating our national defense strategy. From honing our competitive edge against would-be rivals on land and sea to expanding our reach in the air and space, achieving our Nation's strategic priorities begins right here this month with the NDAA.

So Congress's to-do list is clear, and the Senate is manning its essential post, working to get the American people's business done.

#### 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 senior assistant legislative clerk read the nomination of Victor G. Mercado, of California, to be an Assistant Secretary of Defense.

#### LEGISLATIVE SESSION

Mr. McCONNELL. Madam President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

Mr. McCONNELL. Madam President, I move to proceed to executive session to consider Calendar No. 697.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Michael Pack, of Maryland, to be Chief Executive Officer of the Broadcasting Board of Governors for the term of three years. (New Position)

#### CLOTURE MOTION

Mr. McCONNELL. Madam President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant 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 Michael Pack, of Maryland, to be Chief Executive Officer of the Broadcasting Board of Governors. (New Position)

Mitch McConnell, Cindy Hyde-Smith, John Boozman, Tim Scott, Marsha Blackburn, Chuck Grassley, Steve Daines, Mike Crapo, Richard Burr, John Cornyn, David Perdue, Martha McSally, John Thune, James M. Inhofe, Kevin Cramer, Ted Cruz.

Mr. McCONNELL. Madam President, I ask unanimous consent that the mandatory quorum call be waived.

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

#### EXECUTIVE CALENDAR (Resumed)

Mr. McCONNELL. Madam President, I ask unanimous consent that the Senate resume consideration of the Mercado nomination.

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

Mr. McCONNELL. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

#### RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

#### PROTESTS

Mr. SCHUMER. Madam President, I just finished watching Joe Biden's speech to the Nation. President Trump, watch Joe Biden's speech. That is what real leadership looks like.

Now, it is difficult to express the moment we find ourselves in. Our country has been hit by a strange and contagious disease infecting millions and killing over 100,000 of our people. Our economy was put on ice for several months, shuttering scores of businesses, casting 40 million Americans on the unemployment rolls, and, according to government estimates, taking

\$16 trillion out of our economy over the long term.

Then this Nation suffered another trauma—a deeply personal and wrenching pain of another African American senselessly killed in police custody. It is another reminder of the racism that can infect not only our law enforcement and our criminal justice system but our entire society.

George Floyd's killing spurred justified, overwhelmingly peaceful protests from Minneapolis to New York, from Atlanta to right here in the Nation's Capital. Americans are frustrated. Americans are angry. Americans are upset at the country they see, and they want to change it. Can you blame them? It is a good thing that people protest and want to make our country better, especially when it comes to the scourge of racism, the poison that has been in American bones for far too long.

The millions of Americans of all races and backgrounds who have taken to the streets in peaceful protest are doing something noble: reminding the powers that the decades-long failure to reform police departments is unacceptable and that systemic racism is a knee pressing on the necks of tens of millions of African Americans. They are reminding the country that Black lives matter by holding their arms up in silence for 2 minutes and 53 seconds, which is the length of time that George Floyd was unresponsive while the police officer continued to press him into the hard pavement of that Minneapolis street.

The small minority who have exploited the protests to wreak havoc and violence are wrong. They are not taking part in the grand American tradition of First Amendment protests, and they are not peacefully assembling. They are breaking laws and destroying businesses already struggling to recover and putting their fellow citizens in danger. They do a great disservice to themselves, their country, and the righteous cause that so many Americans are now engaged in.

While over 4,000 protesters have been arrested over the past week, only 1 of the 4 police officers involved in George Floyd's death has been arrested. It does not excuse the violence in any way, but it explains, in part, why so many Americans are angry. There is accountability for everyday citizens and protesters when they violate the law, but there isn't always accountability for law enforcement when it does the same. Violence, wherever it occurs, is wrong, but not prosecuting law enforcement when they break the law with the same intensity, as protesters when they break the law, is wrong as well.

The first year of this new decade has brought plague and economic disaster and a vivid reminder of racial injustice, testing—testing—the capacity of our country to endure what only a few months ago would have been considered an unimaginable series of challenges.

We need leaders who will pull us together and help us heal and turn the righteous anger in the land into action and progress. Senate Democrats are not going to wait to take action on law enforcement reform. We are going to confront and address these issues right now.

Several of my colleagues are working on legislation, including Senators BOOKER, HARRIS, CARDIN, DUCKWORTH, SCHATZ, and many others. As a caucus, we are going to listen to experts on racial justice, like Bryan Stevenson, and hear from our constituents who suffer racial discrimination and bias on a daily basis. We are going to propose and push for bold action.

What matters is that we respond to the national wave of unrest with action. I am repeating my call to Leader MCCONNELL. Leader MCCONNELL, commit to putting law enforcement reform legislation on the floor before July 4. A divided nation cannot wait for healing or for solutions.

At the same time, our Nation needs calm and steady leadership, a sure hand and a big heart—qualities that President Trump has never displayed in office.

I repeat my request to President Trump: President Trump, watch Joe Biden's speech that he gave this morning. That is what leadership is, not what you are doing.

We are living through a tale of two crises—COVID and racial justice—and President Trump has been a miserable failure at handling both of them.

Last night, the scene in Washington, DC, may have provided the enduring portrait of the Trump Presidency. While peaceful, law-abiding citizens were exercising their constitutional right to protest in a public park across from the White House, President Trump ordered Federal troops to clear those peaceful crowds with tear gas and rubber bullets so that he could trudge a few blocks from the White House to stand in front of a church, not to go inside but for a photo op. The President's relentless need to make a weak man feel strong led him to order Federal law enforcement officers to gas peacefully assembled Americans so he could sneak his way to a church photo op. It led him to order Federal officers to gas peacefully assembled Americans so that he could sneak his way to a church for a photo op.

After the gas came the horses, a modern-day cavalry for clearing the battlefield. The purpose? So President Trump could wave a Bible—not read a Bible, not even his Bible—as a prop. It was appalling. It was an abuse of Presidential power. It may well have been illegal, and it was blatantly unconstitutional. The President of the United States ordered troops to attack peaceful American citizens exercising their constitutional rights by tear-gassing them in a public park while military helicopters flew overhead.

The President must immediately cease this behavior. Secretary Esper

and General Milley should not allow the U.S. military to come within a country mile of these ugly stunts.

Let me say that again. The President must cease this behavior immediately. Secretary Esper and General Milley should not allow the U.S. military to come within a country mile of these ugly stunts.

The administration is using the military as a tool to intimidate American citizens. The Department of Defense IG must immediately launch an investigation into how the U.S. military was used and whether it was consistent with the laws of our Nation.

Republicans on both sides of the Capitol should be as outraged as we are. The last time we had a President who wantonly disobeyed the laws, there were Republicans in Congress who stood up to him—not so much this time, not so much this President.

Leader MCCONNELL just spoke here on the floor, and we didn't hear a word from him about the President's disgraceful use of force on nonviolent protestors last night. Senate Republicans who remain silent about the President's abuses are, once again, betraying the rule of law and the constitutional basis of this country. And the reason? Fear of a vindictive President who demands they never criticize him.

After the President's reality show ended last night, while the Nation nervously watched the chaos that engulfs us, President Trump probably laid in bed pleased with himself for descending another rung on the dictatorial ladder. He probably wore out his remote control watching the clips of General Barr's victory over the unarmed in the Battle of Lafayette Square. Then he reveled in the sounds of Blackhawks flying overhead and joyously retweeted scores of preening sycophants. It is all so sad, so pathetic, and so weak.

The President could have led during the COVID crisis, which still looms over us. He could have led in economic recovery, providing realistic hopes to people. Even now, he could be spending his time decrying the absence of justice for George Floyd, calling for the investigation or prosecution of the other three officers who were involved or for Breonna Taylor or for countless other African Americans who have been killed, extrajudicially, because of the color of their skin.

Our Nation is desperate—desperate—for real leadership, but there is no one home at the White House, and the lights are off. I fear for the future of our country—that in this time of immense difficulty, our President is only capable of contributing more division, more fear, and more chaos.

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

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

REMEMBERING GEORGE FLOYD

Mr. THUNE. Madam President, last Monday, George Floyd died in the hands of a Minnesota police officer. This senseless death left Americans reeling, most of all because there have been too many George Floyds and Breonna Taylors and Ahmaud Arberys.

As a nation, we need to work to ensure that what happened last Monday in Minneapolis never happens again and that the perpetrators of crimes like this one are held accountable and brought to justice. We also need to acknowledge how deeply many of our fellow citizens are suffering in the wake of George Floyd's senseless death. A lot of our fellow Americans are afraid right now, shaken by another death and worried that that could easily have been their son or husband or brother. Too many Americans feel unsafe in their own communities, and we need to listen to them with humility, to listen to those whose experience of America has often been very different from many of ours.

In the wake of George Floyd's death, Americans took to the streets and cities across the country to express their outrage. They joined a powerful tradition and exercised a cherished right. Peaceful protest is an American institution, and as the civil rights movement demonstrated, a powerful agent for change. These protests aren't relegated to big cities. We are seeing them in towns across South Dakota and in many other places in the United States.

Unfortunately, though, there has also been counterproductive and unnecessary violence. Arson, looting, and destruction of property have happened in cities around the country, and communities have suffered damage that will be felt for years. Communities' faces and community buildings have been damaged. Local businesses have seen their shops defaced and their aisles ransacked, and innocent bystanders have been injured. This is not a solution to the problems highlighted by George Floyd's death, and this violence needs to end. Putting others' lives in danger cannot be an acceptable response to an unjust death.

Around our country, our law enforcement officers have been called out to respond to these riots. I just want to say a couple of words about our police officers. It was a police officer who caused George Floyd's death, and, around our country, other police officers are sickened by that officer's actions and the tragic result. Most of our Nation's police are like Houston's police chief, who went out and marched in solidarity with protesters, or like the police chief of Norfolk, VA, who did the same, or like the police officers in Camden, NJ, who joined locals to march, led by their police chief.

There are certainly exceptions, sadly—too many exceptions. But the vast majority—the vast majority—of

our Nation's police officers are men and women of character who care deeply about protecting everyone in their communities and who strive to do their jobs with justice and with integrity.

For too many years, the promise of the declaration that "all men are created equal" was denied to many. Even in our own day, with both slavery and segregation now mercifully in our past, the effects of these great national sins still make themselves felt. We must re-dedicate ourselves to ensure that the promise of liberty and justice for all is realized for every American. It will take work, but I have faith in our country and in my fellow Americans, and I believe that we can get there.

My prayers today are with George Floyd's family and with all those who are suffering because of his unjust death. "And what does the Lord require of you," the book of Micah asks, "but to act justly and to love mercy and to walk humbly with your God."

May we all seek justice and mercy and walk humbly in the days that are ahead.

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

The PRESIDING OFFICER (Mrs. LOEFFLER). Without objection, it is so ordered.

PROTESTS

Mr. PORTMAN. Madam President, I am here to talk about the pain, frustration, and anger that many Americans are feeling this morning. In the midst of an unprecedented healthcare and economic crisis that is disproportionately affecting our minority communities, we have seen protests spring up across the country in response to egregious examples of injustice and violence against African Americans.

Just in the past few weeks, there have been graphic videos of Ahmaud Arbery gunned down while jogging on a street in Georgia; a White woman in Central Park calling 9-1-1 to falsely accuse an African-American man of threatening her; and George Floyd pleading for his life as a White officer pressed his knee onto his neck for nearly 9 minutes in Minnesota, killing him.

Joining many others, I have made it clear that what happened to these Americans is outrageous and unacceptable. It was very hard to watch that video of George Floyd, a man whose family described him as a "gentle giant," literally begging for his life. "I can't breathe," he said. "Don't kill me," he pleaded. Those were his final words. This simply cannot be allowed to continue in America. By the way, no one I know in law enforcement believes this behavior should be allowed either.

Each of these acts and other acts of injustice against Black Americans is deeply troubling in its own right. The

combination of these injustices right now, in the midst of concerns about the disproportionate impact of the coronavirus on communities of color, has created a firestorm.

Right now, many feel overwhelmed by the sadness, anger, and helplessness. Our hearts are with the families of George Floyd, Ahmaud Arbery, and every American who has experienced injustices in the shadows, away from the cameras, outside of the news headlines, in their daily lives.

It is good that Federal, State, and local investigations are underway in the Floyd and Arbery cases and that murder charges have been filed. We must all demand that justice be served fully and thoroughly. We are a nation of laws, and we must work to uphold those laws to protect everyone. But my fear is, like so many other times in our Nation's history, what will happen is that these killings will fade from the public's consciousness and we will move silently back to the status quo. We can't allow that to happen this time. It is past time for us to have a robust and inclusive national dialogue on racial inequities and some difficult but necessary conversations about how we move forward as a country.

Over the past couple of days, I have spoken with the mayors of Cleveland, Cincinnati, and Columbus—our three biggest cities in Ohio, all three of which have had peaceful protests and destructive rioting. I commend each of them for their support of citizens demonstrating peacefully and for what they have done to try to stop the violence. We talked about cultivating hope for a better world.

I will continue to try to use this podium here in the Senate to foster unity and discussions with my colleagues, my constituents, and leaders across Ohio. We need to work together to find solutions that promote strong families and communities that treat each other with respect and dignity.

I believe one place to start is by holding up those police departments around the country that have made substantial reforms in training and accountability and improved relationships with communities of color, all the while ensuring better public safety for their citizens.

In my home town of Cincinnati, in the wake of similar racial injustice protests in 2001, I worked alongside local officials to develop a better relationship of shared respect between the Black community and our police officers. It is called the Collaborative Agreement. It is not a perfect system, and it has been tested, but it has also proved to be a valuable tool to ensure continuous and open dialogue between the African-American community and the police force. The data is there. There has been a measurable drop in Cincinnati in cases both where police officers used excessive force and where officers themselves were injured.

The Federal Government provided support for this program. A lot of the

support came in terms of the computer systems and the data and the transparency and accountability. There is more work to be done, so the Federal role should continue in Cincinnati, but this may be a model for other cities to follow as well.

As we look at what actions this body should take, I have been encouraged by some of the good ideas brought forward by some of my colleagues. My colleague from South Carolina, Senator TIM SCOTT, is introducing a bill that would encourage greater reporting of fatalities that occur while individuals are under arrest or in police custody. When we know more about what is happening and emerging trends, I believe we will be better able to address the right public policy approach.

Now would also be a good time, in my view, to establish a national commission on race, as was done in 1967 by President Johnson in response to the civil unrest of that era. Perhaps the honorary co-chairs of such a commission could be people of standing, like former Presidents Obama and Bush, both of whom have spoken eloquently about racism as a stain on our national character. It would not be a commission to restate the problem but to focus on solutions and send a strong moral message that America must live up to the ideal that God created all of us as equal.

Sadly, there are those who are trying to take advantage of the pain and suffering by instigating acts of violence aimed at the police, looting, vandalizing, and setting fires, usually in the very communities that are suffering so much. It pains me to see the disrespect that has been shown by some, including to some of our small business owners and their employees in these communities, who are watching something be destroyed that they have spent their lifetime building. It pains me to see the disrespect being shown to some of the officers who are doing their job in a professional manner. It heartens me to see some of the peaceful demonstrators trying to stop these destructive acts.

Violence is not the answer. It will only serve to further divide our already polarized country. George Floyd's younger brother, Terrence, said yesterday:

It's OK to be angry, but channel your anger to do something positive or make a change another way because we've been down this road already. The anger, damaging your hometown, is not the way he'd want.

We cannot dismiss the anger and frustration that have driven so many to the streets for peaceful protests these past few days. The anger on display is real. It is raw. And it deserves to be heard and respected. This is something we must all learn from, and we mustn't thwart the rights of those who are demonstrating peacefully. But the answer is not violence. The answer is to insist that justice be served. The answer is to listen to those who have felt the sting of racism. The answer is

to acknowledge when racial disparities and inequities occur, and the answer is to work together to address these longstanding injustices going forward.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

#### BUSINESS BEFORE THE SENATE

Mr. CORNYN. Madam President, this is a busy week for all of us in the Senate but not so much for our friends in the House, who won't be back until the end of the month to vote on any legislation.

We are hard at work here in the Senate, and particularly in the Judiciary Committee, we have a lot to do. This morning, we held a hearing to examine the impact of COVID-19 on incarceration and detention. Across my State, nearly 5,500 offenders have tested positive for COVID-19, and at least three dozen have passed away. In addition, nearly 900 employees have tested positive, leading to 7 line-of-duty deaths.

This has been and continues to be a major focus of mine after having received a letter from the public employee union at the Federal Medical Center in Carswell in Ft. Worth, which is actually a medical facility for incarcerated individuals.

Unfortunately, we know that, just like the nursing homes and assisted living facilities—people who are elderly or have chronic underlying health problems are especially vulnerable to this virus. We need to do everything we can to make sure that people are treated humanely and fairly even while incarcerated.

Tomorrow, we will switch gears, and we will hold the next in a series of important hearings to examine the handling of the FBI's Crossfire Hurricane investigation. You will recall that the Crossfire Hurricane investigation was opened in July 2016, in the midst of a Presidential election campaign. This followed on the heels of a now famous or infamous press conference that FBI Director Comey had on July 5, 2016, in which he claimed that no reasonable prosecutor would charge then-Candidate Clinton for the various email scandals he investigated. But unfortunately, as we found out later, he reopened that investigation again right before the November election, casting a lot of doubt on who interfered the most with the 2016 election. Was it Director Comey, or was it Russian active measures? Who had the biggest impact on the actual outcome?

As I said, this investigation against the Clinton campaign began in the summer of 2016. When the special counsel's report was released last April, it concluded that there was no collusion or obstruction that could be charged as an offense.

I had hoped that extensive investigation conducted by the former FBI Director, Bob Mueller, would close the chapter in this book, but as information about how the FBI conducted its work has come to light, thanks in large part to the outstanding work of the in-

spector general of the Department of Justice, Mr. Horowitz, it is clear that this story is far from over, and there is a lot we need to do together to help restore public confidence in our Nation's premier law enforcement agencies, known as the Department of Justice and the FBI.

We have learned—tragically, I say, because as a former judge and former attorney general, I revere these institutions of law enforcement—we learned about texts from high-ranking government officials in the FBI, in the upper-management echelon, vowing to stop Donald Trump's election.

We now have learned about systemic abuse of the Foreign Intelligence Surveillance Act, which is supposed to protect the privacy of American citizens, and how it was manipulated and intentionally abused, and lies actually communicated to the Foreign Intelligence Surveillance Court in order to justify a warrant against an American citizen.

We have learned about a first altered and now missing 302 for Michael Flynn. He, of course, was the National Security Advisor for a short time for President Trump but was later charged with lying to the FBI. Amazingly, in a surreal course of events, the original notes taken by the FBI agents who interviewed General Flynn are nowhere to be found. We learned they were later modified. We have the modified version, after somebody got to change them, but we need to see the underlying ones.

It is no wonder that the steady drip of information paints a very troubling picture about the motivations behind the Crossfire Hurricane investigation and the way it evolved over time.

The thing that concerns me the most is, if rogue FBI officials can do this against a Presidential candidate, if they can do what they did to Hillary Clinton and expose derogatory information while saying there isn't evidence with which to charge her with an offense, if that is tolerated, then what sort of protection do we as ordinary citizens have against that kind of abuse of the enormous power given to our law enforcement agencies and investigative agencies like the FBI?

So this is a monumental scandal. The American people deserve answers, and that is what the Judiciary Committee is hoping to deliver.

Tomorrow, we will hear from former Deputy Attorney General Rod Rosenstein about the origins of the investigation and the role he played as the Deputy Attorney General at the time—the second highest ranking official at the Department of Justice. Of course Mr. Rosenstein, during his long and illustrious career as a former U.S. attorney headquartered in Baltimore, was closely linked to some of the key players in the decisions made during this investigation, and his testimony is a critical first step in learning the truth behind this misguided and rogue investigation.

On Thursday, the committee will vote on subpoena authorizations to obtain additional documents that are critical to our oversight responsibilities.

As we work to restore America's faith in our justice system, there is only one way we can succeed, and that is to find the truth and to follow the truth, wherever it may lead. That process will begin in earnest again tomorrow, and I look forward to working with my colleagues on the Judiciary Committee to uncover the facts, to share them with the American people, and to begin to persuade them that we take seriously the job of repairing the damage done by the Crossfire Hurricane investigation, conducted outside of all of the norms and rules that should guide those investigations, on the eve of a Presidential campaign, on top of the reason that Rod Rosenstein recommended to President Trump that James Comey be fired as the FBI Director because of his mishandling of the Hillary Clinton email investigation.

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

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

#### PROTESTS

Mr. BARRASSO. Madam President, I come to the floor today with the remarks I had prepared while home in Wyoming last week, but first I need to comment on the tragedy that is facing our Nation today.

Anyone who has seen the video of George Floyd being murdered—murdered—has to be heartbroken. The peaceful protests that followed—peaceful at first—about police abuse against any—any—American are important and are necessary. These peaceful protests about George Floyd's death have been hijacked, though, by violent criminals. Anyone who sees the video of the wanton destruction and the looting and the rioting and the arson knows that those who are involved have no respect for the people they are harming. They dishonor the memory of George Floyd, and they dishonor the cause for which the demonstrators and the protesters first took to the streets.

Those who would desecrate the Lincoln Memorial, the World War II Veterans Memorial, and the church that every President has worshipped in going back to James Madison—those are people who are set on undermining our Nation.

#### CORONAVIRUS

My goal today is to come to the floor to talk about rebuilding our Nation—rebuilding our Nation as we recover from coronavirus.

Last week at Memorial Day services in Wyoming, I reflected on America's heroes and the sacrifices so many have made for the rest of us.

As I talk with people in Wyoming and travel the State, I am reminded how self-reliant, how resourceful, how independent, and how resilient we are as Americans.

Well, the worst of coronavirus does now seem to be behind us. People want to get back to work. The economy, forcefully shut down by the government, is now showing signs of life. Businesses are starting to reopen. As we say in the West, it is time to get back in the saddle. We are going to fully reopen our communities, and we are going to do it smartly, safely, and soon. Every Governor needs to speed, not impede, the process so people can return to work.

Just as important, our children need to get back to school. It is critical. Parents know how important it is for our students and our kids to be back in the classroom. The lockdowns have been hard on young people. Our kids miss their teachers, they miss their friends, and they miss their normal activities.

Every child learns differently. Many children are having trouble learning at home, and others are having difficulty learning on the screen. Some kids are basically teaching themselves.

What happens if an at-risk child misses an entire year of school? And what about the impact on child welfare?

I published an op-ed last week entitled "Coronavirus Collateral Damage." In it, I noted that pediatricians are very concerned that with the shutdowns, a significant number of child abuse cases are going undetected and unreported.

Thankfully, schools are figuring out safe ways to reopen. The Senate Health Education, Labor, and Pensions Committee is holding a hearing this week on going back to college safely, and next week we are going to hold a hearing called "Going Back to School Safely."

Most of the K-12 schools and colleges hope to reopen this fall. Research tells us that young people are better able to deal with the virus and are less likely to suffer symptoms of the disease.

Nevertheless, the California State university system has decided to keep all of its campuses closed for the fall semester—every one of them. They say they will not open any of them again until after New Year's. California's university system is the country's largest and serves about half a million students. They have campuses throughout the State of California, and they are taking a one-size-fits-all approach, treating every campus as if they are all identical. In my view, that decision is misguided.

To date, nearly two-thirds of U.S. colleges plan to reopen this fall. That is according to the Chronicle of Higher Education, which is researching the universities and talking with them, finding out exactly what is going on from school to school.

Universities across the country are rolling out responsible reopening plans

aimed at protecting students as well as staff.

Back at home, the University of Wyoming in Laramie is advancing a bold fall reopen agenda and plan. The university has asked the Governor for \$79 million in Federal coronavirus relief funds to help support the effort. Some of the safety measures being discussed include single dorm rooms, smaller classes, enhanced cleaning, and required staff and student coronavirus testing every several weeks.

In a recent statement, the University of Wyoming president stressed "the importance of an on-campus educational experience." The president of the University of Wyoming, Neil Theobald, has pledged to "bring our students back to campus safely and protect the health of our community to the highest extent possible."

Last week, two university presidents in Indiana published op-eds discussing their decisions to reopen this fall.

Writing in the Washington Post, Purdue University president and former Indiana Governor Mitch Daniels said that failing to reopen would be "an unacceptable breach of duty"—an unacceptable breach of duty. He said Purdue based its decision on current scientific data showing COVID-19, while very dangerous for the old and the sick, "poses a near zero risk to young people." To keep the community safe, Purdue is taking a number of steps, including making its campus less dense. Purdue will require one-third of the staff to work remotely.

The former Governor said that personal responsibility is key. He goes on to say: "Upon arrival in August, each Boilermaker will receive a kit including face masks and a thermometer for daily temperature taking as well as the Protect Purdue Pledge." President Mitchell Daniels said: "Forty-five thousand young people—the biggest student population we've ever had—are telling us they want to be here this fall."

Only a week after California's decision to stay closed for the fall and the rest of the year, the University of Notre Dame made headlines by announcing it will reopen this fall.

Writing in the New York Times last week, Notre Dame president, Reverend John Jenkins, said: "Educating young people—the future leaders of our society—is worth risking a good deal."

Notre Dame is going to open August 10—2 weeks earlier than they had planned—and to limit the back and the forth, the Fighting Irish will forgo their fall break and end the semester before Thanksgiving. Other safety measures being considered include masks, social distancing, aggressive testing, temperature checks, contact tracing, and remote options for at-risk students and staff. Father Jenkins noted that the school's decision is guided by science but also took courage and common sense.

These schools have sought the best possible medical advice. They are following Federal public health guidelines, and they are committed to protecting the vulnerable.

This is all new territory. There is no manual. Every community faces a unique set of challenges. Every school must chart its own course. Still, we can all agree that during this difficult and challenging time, America's schools must stand with their students, and not just for the well-being of the students but for others as well. Colleges are critical for the economic health of entire communities; hence the name "college towns." Universities are major employers, often the best local source of stable jobs. Many university jobs are also on the line this fall. The college shutdowns have also shut down Main Street. For many small businesses, losing graduation weekend alone was a crushing blow. Can mom-and-pop businesses sustain another lost semester?

Taking away people's educational opportunities, social supports, and livelihoods has a real, negative impact.

Here is the bottom line: We have learned that we can protect people from the virus and we can get back to normal life.

For the good of the whole society, it is so critically important that we reopen now. It is time for America to get back in the saddle again.

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. MENENDEZ. Madam 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

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

The bill 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 Victor G. Mercado, of California, to be an Assistant Secretary of Defense.

Mitch McConnell, David Perdue, Jerry Moran, Rob Portman, Michael B. Enzi, Deb Fischer, Kevin Cramer, John Thune, John Boozman, Shelley Moore Capito, Marco Rubio, Todd Young, John Barrasso, James Lankford, Tim Scott, James E. Risch, Cindy Hyde-Smith.

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 Victor G. Mercado, of California, to be an Assistant Secretary of Defense, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from North Dakota (Mr. CRAMER), the Senator from North Dakota (Mr. HOEVEN), and the Senator from South Dakota (Mr. ROUNDS).

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

Mr. DURBIN. I announce that the Senator from New Mexico (Mr. HEINRICH), the Senator from Vermont (Mr. LEAHY), the Senator from Massachusetts (Mr. MARKEY), the Senator from Vermont (Mr. SANDERS), the Senator from Hawaii (Mr. SCHATZ), the Senator from Michigan (Ms. STABENOW), the Senator from Montana (Mr. TESTER), and the Senator from Rhode Island (Mr. WHITEHOUSE) are necessarily absent.

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

The yeas and nays resulted—yeas 75, nays 14, as follows:

[Rollcall Vote No. 104 Ex.]

YEAS—75

Alexander	Enzi	Murkowski
Baldwin	Ernst	Murphy
Barrasso	Feinstein	Paul
Bennet	Fischer	Perdue
Blackburn	Gardner	Peters
Blunt	Graham	Portman
Boozman	Grassley	Reed
Braun	Hassan	Risch
Brown	Hawley	Roberts
Burr	Hirono	Romney
Capito	Hyde-Smith	Rosen
Cardin	Inhofe	Rubio
Carper	Johnson	Sasse
Casey	Jones	Scott (FL)
Cassidy	Kaine	Scott (SC)
Collins	Kennedy	Shaheen
Coons	King	Shelby
Cornyn	Lankford	Sinema
Cortez Masto	Lee	Sullivan
Cotton	Loeffler	Thune
Crapo	Manchin	Tillis
Cruz	McConnell	Toomey
Daines	McSally	Warner
Duckworth	Menendez	Wicker
Durbin	Moran	Young

NAYS—14

Blumenthal	Klobuchar	Udall
Booker	Merkley	Van Hollen
Cantwell	Murray	Warren
Gillibrand	Schumer	Wyden
Harris	Smith	

NOT VOTING—11

Cramer	Markey	Stabenow
Heinrich	Rounds	Tester
Hoehn	Sanders	Whitehouse
Leahy	Schatz	

The PRESIDING OFFICER. On this vote, the yeas are 75, the nays are 14. The motion was agreed to.

DEFENSE NOMINATIONS

Mr. LEAHY. Mr. President, the President's threat of using military force against protestors is a grossly inappropriate, unnecessary, and dangerous escalation at a time when Americans are looking for constructive and enlightened leadership. America's power and strength derives, above all, not from our military might, but from the values that are at the very foundation of this country, rooted in the First Amendment of the Constitution.

Our country has a long tradition of civilian policing. It is one of the many

ways our government differs from regimes that routinely use the military to intimidate and silence their critics. The Insurrection Act was last invoked nearly three decades ago, to respond to the Rodney King riots in Los Angeles at the request of and by working closely with State authorities.

Its application is not a threat to be cavalierly bandied about, as if our Armed Forces are puppets of the President to evict peaceful protestors for purposes of a staged photo op. I am deeply disturbed that civilian and military leaders joined the President in this misuse of force.

Until the President and his senior military advisers make clear that they understand and accept this, I cannot vote to confirm further nominees to the Department of Defense.

RECESS

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

Thereupon, the Senate, at 12:23 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mrs. CAPITO).

EXECUTIVE CALENDAR—Continued

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

Mrs. FISCHER. Madam 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 senior assistant legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from North Dakota (Mr. CRAMER), the Senator from North Dakota (Mr. HOEVEN), and the Senator from South Dakota (Mr. ROUNDS).

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

Mr. DURBIN. I announce that the Senator from New Mexico (Mr. HEINRICH), the Senator from Massachusetts (Mr. MARKEY), the Senator from Vermont (Mr. SANDERS), the Senator from Hawaii (Mr. SCHATZ), the Senator from Michigan (Ms. STABENOW), the Senator from Montana (Mr. TESTER), and the Senator from Rhode Island (Mr. WHITEHOUSE) are necessarily absent.

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

The result was announced—yeas 75, nays 15, as follows:

[Rollcall Vote No. 105 Ex.]

YEAS—75

Alexander	Blackburn	Brown
Baldwin	Blunt	Burr
Barrasso	Boozman	Capito
Bennet	Braun	Cardin