

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 Madam President, I ask unanimous consent that the order for the quorum call be rescinded.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

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

NAYS—15

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

NOT VOTING—10

Cramer	Rounds	Tester
Heinrich	Sanders	Whitehouse
Hoeven	Schatz	
Markey	Stabenow	

The nomination was confirmed.

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

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 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 Brian D. Miller, of Virginia, to be Special Inspector General for Pandemic Recovery. (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, Cory Gardner.

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. Miller, of Virginia, to be Special Inspector General for Pandemic Recovery, 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 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 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 yeas and nays resulted—yeas 51, nays 40, as follows:

[Rollcall Vote No. 106 Ex.]

YEAS—51

Alexander	Fischer	Paul
Barrasso	Gardner	Perdue
Blackburn	Graham	Portman
Blunt	Grassley	Risch
Boozman	Hawley	Roberts
Braun	Hyde-Smith	Romney
Burr	Inhofe	Rubio
Capito	Johnson	Sasse
Cassidy	Jones	Scott (FL)
Collins	Kennedy	Scott (SC)
Cornyn	Lankford	Shelby
Cotton	Lee	Sullivan
Crapo	Loeffler	Thune
Cruz	McConnell	Tillis
Daines	McSally	Toomey
Enzi	Moran	Wicker
Ernst	Murkowski	Young

NAYS—40

Baldwin	Gillibrand	Peters
Bennet	Harris	Reed
Blumenthal	Hassan	Rosen
Booker	Heinrich	Schumer
Brown	Hirono	Shaheen
Cantwell	Kaine	Sinema
Cardin	King	Smith
Carper	Klobuchar	Udall
Casey	Leahy	Van Hollen
Coons	Manchin	Warner
Cortez Masto	Menendez	Warren
Duckworth	Merkley	Wyden
Durbin	Murphy	
Feinstein	Murray	

NOT VOTING—9

Cramer	Rounds	Stabenow
Hoeven	Sanders	Tester
Markey	Schatz	Whitehouse

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Brian D. Miller, of Virginia, to be Special Inspector General for Pandemic Recovery (New Position).

The PRESIDING OFFICER. The Senator from Missouri.

PROTESTS

Mr. BLUNT. Madam President, today we are on the Senate floor at a time when, once again, we are attempting as a country to reconcile things that should have been reconciled long ago. The deaths of George Floyd, Breonna Taylor, and Ahmaud Arbery shocked and outraged the country. The three of them, in a very short period of time, brought again this division we have in our country where we look at the country and particularly look at law enforcement in two different ways.

The discussion I have had with my sons is different from the discussion that many of my African-American friends have had—in fact, as far as I know, all of my African-American friends who ever talked to me about

this have had—with their sons. With my sons, I would say: If you get in trouble, look for a police officer.

That is not the police officer discussion that African-American fathers often have with their sons. That discussion goes more like this: If you are picked up by the police, do exactly what you are told until I get there, and we will straighten it out once I get there.

Those are the two views of what happens.

We see in all of these cases some reason to believe that those concerns are absolute and legitimate. Because of that, there is a wide support for the protests going on around the country. At our leadership stakeout today on the Republican side, everybody was great, I think, understanding the emotion and empathy, and they talked about the importance of peaceful protests as we see these things that have happened.

The problem is we have protests peacefully during the day that turn into violence and chaos at night. The peaceful protests shouldn't become a cover for violent activity. In fact, one of my good friends who planned some protest marches told me today that there has never been a peaceful protest march planned for the nighttime. Nighttime is not the time for peaceful protest marching. It might be the time for a candlelight vigil, but not a time for peaceful protests.

What we see at night are people who either weren't part of that daytime protesting activity or were there in the daytime so they could transition to violence and looting at night. It is absolutely outrageous and absolutely unacceptable.

We saw George Floyd's brother yesterday go to the place where his brother died and say: If I am not looting, if I am not rioting, if I am not destroying other people's property, why would you be doing that?

He was saying: I lost my brother, and I am not trying to destroy my neighborhood because I lost my brother. I am not trying to destroy his neighborhood because my brother is gone.

Yet we see activities happen that are unacceptable on all fronts. Last night, in St. Louis, we had four police officers shot in the line of duty. Sometime earlier in the day, it had been anticipated that at the City Justice Center there would be a planned violent activity. You don't manage to shoot four police officers unless you are thinking about it and normally thinking about it in advance, but that is what happened. Fortunately, those wounds were all survivable.

I talked to people in the police department in St. Louis today, and they had six other events last night where police were shot at during the course of the night. We need to realize that the police officers who work and the National Guard men and women who are working are out there risking their lives trying to protect others. We need