

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

to realize that when they go to work every day, the members of their family have every reason to be concerned all day and every day of what might happen. They don't know what door the person they love may be asked to knock on, what car they may stop, or what moment may happen that makes the difficult life of being in law enforcement even more difficult.

We have certainly seen plenty of tragedies there in recent years, too. It hasn't been that long ago that police officers were being ambushed routinely and a number of police officers were killed while on duty, not while they were trying to apprehend a felon, but when somebody just walks up behind them in the car or on the street and their life is ended.

Then we see the horrifying image of George Floyd's murder. We have the same fear for people in that situation and the people whom they love. In fact, nobody should live in fear in our society of just their personal safety—not the law enforcement officers, not their families, not people who are peacefully protesting, or people who have violated the law and are being arrested, as they should be, but not with the result that we saw. Whether that arrest was appropriate or not, no arrest is appropriate to decide you are going to be the punishing officer as well as the arresting officer.

Those who are in power should be held accountable. Those who are in power should set an example.

I talked this morning to the police chief in Kansas City, Rick Smith, who tomorrow will be joining a unity march with other leaders in the community and protesters in the community. Marching along with the protesters will be Chief Smith and other officers and other elected leaders. That is one way to begin to resolve this.

I also think, having had some experience with this particular topic, that the Justice Department needs to reinstate their full review of department pattern and practice. This is something they have walked away from in recent years, but in our State we had three departments since 2014 that had a full pattern and practice review by the Justice Department. At least one of those entered into a consent decree with the Department as to how they would focus in the future.

I think one of those three—St. Louis County—asked for the review. St. Louis County, the city of Ferguson, St. Louis city—all believe they benefited from that review.

Reviewing an officer or a number of officers is just often not enough, so I am encouraging the Department of Justice to get back to having one of the options on the table a full review by the Civil Rights Division or some other division in the Justice Department, depending on the circumstances, of not only the procedures but also the pattern that a department may have fallen into.

We cannot continue over and over again to have the same thing happen,

as we as a society try to grapple with the same exact problem. This is not a new problem. It is long past the time we should have figured out how to deal with it.

If departments need help in figuring out how to deal with it, that is one of the things that—whether it was St. Louis or Baltimore—the Justice Department has shown some ability and some success in doing. I hope they will look at that again as they look at these three instances that I mentioned today and others.

It is time to move forward. It is well past time to move forward. It is a time when people should have a society—have confidence in the institutions of the society, and those who serve in law enforcement and public assistance of all kinds should also have the appreciation and respect that we should have for them, and, of course, that is a contract where you earn that respect, but you also get that respect when you have earned it, as well over 99.9 percent of those who serve every day do.

I yield the floor.

The PRESIDING OFFICER (Mr. BOOZMAN). The Senator from Illinois.

UNANIMOUS CONSENT REQUEST—S. 1938

Ms. DUCKWORTH. Mr. President, as if in legislative session, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. 1938 and the Senate proceed to its immediate consideration; further, that the bill be read a third time and passed and that the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. GRAHAM. Yes.

The PRESIDING OFFICER. Objection is heard.

The Senator from South Carolina.

Mr. GRAHAM. Mr. President, I think we probably can get there if we talk. We just got this thing at 5:30 last night. It is a grant program to try to strive for better policing, less bias. I get that. Count me in for that concept.

There is a civilian review process about prosecutorial decisions that I don't quite understand. Senator LEE came up and asked me questions about the bill.

So with no animosity, I object at this time. I hope we can get it as part of a broader agenda. On June 16, we are going to have a hearing about all things related to police and race, and we will try to make this part of a package.

So at this time, I do object, and let it go through the committee.

The PRESIDING OFFICER. The objection is heard.

The Senator from Illinois.

Ms. DUCKWORTH. Mr. President, first he said "I can't breathe." Then he called out "Mama" for his late mother.

Last Monday, in broad daylight, George Floyd was slowly, publicly killed by someone whose responsibility it was to protect and serve. Officer

Derek Chauvin, who has since been rightfully fired, spent about 3 minutes ignoring Floyd's cries of pain, refusing to move his knee from Floyd's neck, refusing to let up, to get up, even as the man under him begged for life and lost consciousness. Then he spent roughly another 6 minutes after Floyd had fallen silent ignoring the number of growing of witnesses who begged him to see the obvious—that the man under his knee was unresponsive, that he was dying.

As a mom, there are not words to describe the visceral, gut-wrenching feeling of hearing someone cry out for their mother in a moment of such desperation.

George Floyd's death was unnecessary and heartbreaking. It was a tragedy, but horrifyingly, it was not an anomaly.

From Eric Garner, who told us 6 years ago that he, too, could not breathe, to Tamir Rice, who never made it to his 13th birthday, the senseless killing of unarmed Black Americans at the hands of law enforcement has become an all-too-common occurrence. The horror of the moment, then the outrage and sadness and, yes, anger that follow have turned into a pattern that too many people appear to believe is normal. It is not, and we cannot—must not—let ourselves become numb to the reality in front of us.

George Floyd was someone's son who with his dying breath called out for his mother who had previously passed away. He had a 6-year-old daughter who will not only grow up without a father but knowing that she, too, would face the same danger every day just because of the color of her skin.

George Floyd was born in a country built on the belief that we are all created equal, but he died in a country that still has not fully realized that we must all be treated equally as well.

It is long, long past time for action. We needed it before George Floyd; we needed it before Breonna Taylor, before Laquan McDonald, and before countless others were killed too.

We need real leaders who listen to Americans' cries for help and give those fighting for justice a platform to be heard. But sadly, although unsurprisingly, Donald Trump has done just the opposite over the past few days, trampling First Amendment rights by ordering Federal law enforcement to assault those who stood in the way of his photo-op, exploiting our military and disrespecting our troops by using them as a cudgel to silence our neighbors and further divide our country.

Donald Trump may be our Commander in Chief, but tear-gassing peaceful protestors is not leadership; it is cowardice. Threatening military force against Americans exercising their constitutional right is not Presidential; it is tin-pot dictatorial.

You know, in moments like these, it is more important than ever to recognize the privilege that many of us