

data will help hold officers and departments accountable.

Broader criminal justice reform and the standard for use of force—all of those things must change. As I mentioned, we have done something. We passed the First Step Act when it comes to sentencing, but now we need to take on the Second Step Act to create incentives for States to restore discretion for mandatory sentencing for nonviolent offenders and reform the conditions in State prisons and local jails.

We know these conditions have gotten even worse during the coronavirus pandemic. Earlier today, we held a hearing in the Judiciary Committee about the continued injustice we are seeing in our prison system during this pandemic. While some people, like Paul Manafort, have been transferred to home confinement, others, like Andrea Circle Bear or Andrea High Bear, who is serving 26 months for a nonviolent drug offense and had just given birth while on a ventilator—why? She was exposed to the virus. So the question is, Why did a pregnant woman with a preexisting condition—an American Indian woman who was there for a nonviolent offense—why was she there in the prison system and Paul Manafort gets out?

We should also create a diverse, bipartisan clemency advisory board—one that includes victim advocates as well as prison and sentencing reform advocates—that would look at these issues from a different perspective.

We should strengthen post-conviction reviews with conviction integrity units across the country. According to data from the National Registry of Exonerations, there are currently fewer than 60 conviction integrity units in the United States, and many of those are too weak to be effective. Attorney General Ellison and I have been working with prosecutors in Minnesota to set up a conviction integrity unit in the Twin Cities with strong, strong standards for independence and transparency. This needs to happen nationally.

We should also expand post-conviction sentencing reviews. Ensuring justice isn't just looking back at a case to see whether the evidence was right; it is also looking to see whether the sentence was right in a situation.

All of this—expanding our Nation's drug courts, which is something that I have been leading on in the Senate for years, changing that conversation about drug and alcohol treatment, reforming the cash bail system—if there is anything we as a Senate can do to eliminate injustice within our justice system, we should do it, and we should do it now. Talk is no longer enough.

We know this pandemic has shed a light on the injustice we have already seen, as Senator DURBIN, who was here, and I discussed about the prison system today. We also see it in the number of people dying. In Louisiana, African Americans account for nearly 60

percent of deaths but 33 percent of the population. In Georgia, a study of eight hospitals found that 80 percent of their COVID-19 patients were African Americans yet 30 percent of the population. The workers on the frontline, the people who are working not just in the hospitals, not just in the emergency rooms, but in the grocery stores, driving the public transportation, are getting this virus—this sometimes fatal virus—at a much higher rate. This calls for not only the reforms that I laid out and that I have been advocating for years but also calls for investment, like JIM CLYBURN's plan to invest in underserved areas and impoverished areas that have been that way for a long, long time. Senator BOOKER is carrying that bill in the Senate.

Martin Luther King once said that we are “all tied in a single garment of destiny. Whatever affects one of us directly, affects all indirectly.” That means, in the long term, an economy that works for everyone, with fair wages, with childcare, and with retirement savings. It means closing the wealth gap. Black and Latino households have only about a tenth of the medium net worth right now of White households. It means voting rights.

The scene that we saw in Wisconsin where people were standing in the rain with homemade masks and garbage bags just to be able to vote, risking their lives and their health, while the President of the United States was able to vote in the luxury of 1600 Pennsylvania Avenue because he could get a mail-in ballot from Palm Beach, FL—that is a split screen for you. That is why people are out peacefully marching. That is what they are angry about. It is police misconduct. It is the murder of George Floyd. It is the longtime economic disparities, but it is also the longtime suppression of the vote and the unfairness of all of this.

This has been a devastating time for Minnesota, but as George Floyd's family, whom I had the honor to talk with at length this weekend, said: We cannot sink to the level of our oppressors, and we must not endanger others during this pandemic. We will demand and ultimately force lasting change by shining a light on treatment that is horrific and unacceptable and by winning justice.

That is what they are talking about in Minnesota today. That was the spirit that I saw when my husband and I went to drop off food, where hundreds of people were there with thousands of bags of groceries because their grocery stores in that neighborhood had been burned to the core and their stores had been looted, not by the peaceful, righteous marchers but the people who were hiding behind them.

I will end with this. A few years ago I went to Selma, AL, with Representative JOHN LEWIS, like so many Senators have done. I stood there on the bridge where he had his head beaten in. I was in awe of his persistence, his resilience, and his faith that this country

could be better, if only we put in the work. That weekend, after 48 years, the White police chief of Montgomery handed his police badge to Congressman LEWIS and publicly apologized on behalf of the police for not protecting him 48 years before and not protecting his freedom marchers.

I don't want to take 48 years for my city and my State to heal or for our Nation to fix a justice system that has been broken since it was built. I want justice now. The people of this country deserve justice now. Everyone has a role to play in coming back from these crises. The protesters are shining a light on injustice that we have pushed to the shadows for far too long. The frontline workers and volunteers are serving the communities they love, and they are looking to all of us to deliver the reforms we promised—not just in speeches, not just in campaigns, but in reality, and not just for George Floyd. His legacy should be so much more than those 9 minutes—or Philando Castile or Jamar Clark or Breonna Taylor—because we took an oath.

We took an oath, colleagues. We didn't wave a Bible in the air for a photo op. We placed our hand on that Bible, and we swore to support and defend the Constitution of the United States against all enemies, foreign and domestic. The enemy we face now is racism. The enemy we face now is injustice. I don't know what else to say because too many words have been said, and maybe it is time to stop talking. Maybe it is time to start acting. It is time to get to work. It is time to do our jobs.

I yield the floor.

The PRESIDING OFFICER (Mr. CASIDY). The Democratic leader is recognized.

#### UNANIMOUS CONSENT REQUEST

Mr. SCHUMER. Mr. President, first I would thank my friend and colleague, the senior Senator from Minnesota, for her eloquent, passionate words that tell the story of how she has done so much good and is working so hard to heal the wounds of Minnesota. We all appreciate it, Minnesotans and many Americans.

Now, last night, as peaceful citizens exercised their constitutional right to protest in Lafayette Park, across from the White House, Federal law enforcement officers were ordered to clear out the crowds with tear gas and rubber bullets so that President Trump could walk from the White House to a nearby church for a photo op.

He did not enter the church. He did not offer words of prayer. The crowds were dispersed with force so that he could get his picture taken with a Bible that wasn't his and was held upside down in front of a church he never asked to visit.

I spoke at length about these events this morning. The aggressive use of force on law-abiding protesters was appalling. It was an abuse of Presidential power. It may have been illegal. It was certainly a violation of the constitutional rights of American citizens. The

protesters, some of them children, many of them families, there in the public park to peacefully protest were met with rubber bullets and tear gas. This has no place in American society or any democracy worthy of the name. The President must cease his behavior.

The images from last night should disturb all of us and must be condemned by the United States Senate. They cannot go unanswered, less the President be encouraged to do even greater abuse because he has no self-restraint.

In a few minutes, I will ask the Senate's consent to pass a simple resolution that says three things: first, that the constitutional rights of Americans must be respected; second, that violence and looting are unlawful and unacceptable; and, third, that Congress condemns the order to have Federal officers use gas and rubber bullets on peaceful protesters.

This resolution is not a substitute for critical law enforcement and racial justice reforms that are badly needed, but this unconstitutional action by this lawless President requires a response from this body.

I hope all Senators will support this resolution. Democrats are outraged. Republicans should be outraged as well. For my friends on the other side who claim they have not seen the events of last night, I suggest you find a moment and turn on the television.

Our Republican colleagues cannot be objecting to our resolution on the false grounds that it doesn't reject violence. It does. Let me read you the words again in the resolution: "Violence and looting are unlawful, unacceptable, and contrary to the purpose of peaceful protest." It is right there in the resolution.

What other reason would any Republican Senator have to object to the things in this resolution? If a Senator objects, they should be asked which of these things do they disagree with. Do they believe Americans do not have the constitutional right to exercise the freedom of speech, the freedom of assembly, and the right to petition their government? Do they believe Americans do not have the right to peacefully protest? Do they disagree with the statement that violence and looting are unlawful and unacceptable, or do they support the President's use of tear gas against people, including families, who are peacefully protesting in a public park? Which is it?

Any objector should explain why the simple resolution I offer today is so unacceptable to them.

Mr. President, as if in legislative session, I ask unanimous consent that the Senate proceed to the immediate consideration of a concurrent resolution expressing the sense of the Congress that the constitutional rights of Americans must be respected; that violence and looting are unlawful and unacceptable; and that Congress condemns the President for ordering Federal officers to use gas and rubber bullets against

peaceful protesters in Lafayette Square in Washington, DC, on June 1, 2020; that the concurrent resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The majority leader.

Mr. McCONNELL. Mr. President, reserving the right to object, first and foremost, I am a First Amendment absolutist. The right to peaceful protest is absolutely sacrosanct. It is a core American liberty. When peaceful demonstrations occur within the bounds of the law and with respect to the needs of law enforcement, leadership at every level has an obligation to respect and honor them.

Our Nation must not turn a deaf ear to the anger, pain, or frustration of Black Americans. Our Nation needs to hear them. There is no question that the killing of George Floyd was horrific. In my view, it absolutely appears to have been a heinous act of criminal violence. It is totally unacceptable that Mr. Floyd is dead. There is no doubt that residual racism continues to be a stain on our country. We need to do more to address it.

Over the last few days, we have seen peaceful protests hijacked on a nightly basis into a rolling series of riots that engulfed great American cities in wanton destruction and violent crime.

These are the two issues the American people are focused on: justice for Black Americans in the face of unjust violence and peace for our country in the face of looting, riots, and domestic terror. Those are the two issues that Americans want addressed: racial justice and ending riots.

Unfortunately, this resolution from my friend the Democratic leader does not address either one of them. Instead, it just indulges in the myopic obsession with President Trump that has come to define the Democratic side of the aisle. It pays more attention to the precise ways that Federal law enforcement protects Presidential movements around the White House than to the fact that great American cities, including my colleague's beloved New York, have been consumed by rioting, looting, and violence against police for several nights in a row, with no end in sight.

Outside of the Washington, DC, bubble, there is no universe where Americans think Democrats' obsession with condemning President Trump is a more urgent priority than ending the riots or advancing racial justice. There is no universe in which the dynamics of Lafayette Park before the President seeks to exit the White House is a more urgent national priority than the shattered glass, destroyed businesses, and brutal attacks on law enforcement that are happening nationwide in places like Lafayette Street in New York City.

I will object to my distinguished colleague's thin resolution and will offer

something more full-throated in its place.

My resolution would condemn a long pattern of unjust police violence toward Black Americans. It would champion the First Amendment and praise the peaceful protests that followed Mr. Floyd's death. It would clearly condemn the violent rioting that has paralyzed places like New York City and insist that local authorities finally get serious about protecting the innocent.

I hope my distinguished colleague will not object. America is united and outraged at the death of Mr. Floyd, and I hope we can unite to condemn these senseless riots and move forward together as one Nation. Therefore, I object.

The PRESIDING OFFICER. Objection is heard.

UNANIMOUS CONSENT REQUEST—S. RES. 601

Mr. McCONNELL. Mr. President, as in if legislative session, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 601 submitted earlier today. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. SCHUMER. Reserving the right to object.

The PRESIDING OFFICER. The Democratic leader.

Mr. SCHUMER. Mr. President, it is very simple why the Republican leader objected to our resolution and offers this one instead. It is because they do not want to condemn what the President did, though every fair-minded American of any political party would.

We certainly should condemn violence. Let me repeat: This resolution condemns violence. But it is insufficient, in the light of what happened yesterday, to just condemn violence and not condemn what the President did as well, so I will object to my colleague's resolution.

The PRESIDING OFFICER. Objection is heard.

VOTE ON MILLER NOMINATION

The PRESIDING OFFICER. Under the previous order, all postcloture time is expired.

The question is, Will the Senate advise and consent to the Miller nomination?

Mr. PORTMAN. 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."