

stop fighting as long as they have breath in their body and blood in their veins. They will fight for this Nation, even when it so savagely lets them down.

I get strength from those in our Nation today who demonstrated alchemy greater than any power I can possess, that somehow, in our darkest of times, we still are a Nation that can find a way to ignite the world, in a Nation where so many people have been so thoroughly failed, that they can still manifest the ability to fight for the ideals that have been denied for them. They are the ones right now whose spirit we all must try to summon.

We will come up short, but we must try to summon it. It is the only way forward that, somehow, this Nation that shares one spirit can find a way to put enough indivisible into this one nation under God, that somehow this great country can find a way in this time of our generation's great crisis—that we, like those before us, those magicians, those alchemists of love and spirit and sweat and struggle—that out of this time of crisis, we can make this Nation truly one of liberty and justice for all.

Madam President, I yield the floor.

The PRESIDING OFFICER (Ms. MCSALLY). The Senator from Maryland.

#### RACISM

Mr. VAN HOLLEN. Madam President, let me start by saying to our colleague, the Senator from New Jersey who just spoke on the floor, that we are all thankful for his passion to make sure that this country lives up to its promise and for sharing with this body his personal testimony about racism and the need for all of us to move urgently to address the fundamental inequities at the heart of our society and institutions. I don't think it is an overstatement to say that we are at a pivotal point in our country. It is a moment of reckoning. Historians will carefully examine this moment to see how our country responded to see which path we took, how the Senate responded, how each Senator responded.

The immediate spark for this moment was the brutal murder of George Floyd by agents of government. In Minneapolis, a police officer aided and abetted by three other officers—we all witnessed the horror of George Floyd gasping “I can't breathe” as a White officer kept his knee on his neck for 8 minutes and 46 seconds; three other officers participated in the crime. All four need to be brought to justice, but the murder of George Floyd was not an isolated event in the United States of America. It is not the first time a Black man has called out “I can't breathe” as he was choked or lynched. We can draw a straight line that runs from slavery to Jim Crow to legal segregation to de facto segregation to institutional racism to the killings of Michael Brown, Tamir Rice, Eric Gar-

ner, Freddie Gray, Breonna Taylor, and George Floyd, as well as the vigilante killings of Trayvon Martin and Ahmaud Arbery and others.

The White police officer who looked at the video as he kept his knee on the neck of George Floyd thought he would get away with his actions because he and so many others had not been held accountable before. He thought he could get away with it, based on his experience. We must change that. As Senator BOOKER said, we can have our moments of silence, we can have vigils, but that is not enough. It is not nearly enough. This is a moment that demands real action, real change, and real results, starting with changes in police practices and the systemic racism and institutions that have shielded those who engage in misconduct from accountability.

Those changes must include establishing truly independent oversight mechanisms to ensure that those police officers who betrayed the public trust are held accountable. We must ban outright the use of chokeholds unless the officer's life is in imminent danger, and we must use Federal leverage to incentivize deescalatory practices over escalatory ones. We need national standards backed up by real consequences for those who do not comply, and we must establish a Federal databank that tracks reports of police misconduct—not simply unjustified killings by police, but all forms of misconduct. These and others changes are required to ensure the protection of citizens, communities, and an overwhelming number of police officers who are meeting their sworn oaths to protect our communities. Bad cops are bad for good cops, and we need to make sure we have a system in place to punish misconduct and reward those who are upholding their sworn duty.

Now, while the murder of George Floyd and others has, again, exposed the need for systemic change in police accountability, it also cries out for systemic change to address racism embedded in our institutions. The need for additional change does not mean we have not made progress in our country on key issues of civil rights and political rights, but it does mean we have a very long unfinished road ahead to achieve the promise of equal justice, equal rights, and equal opportunity in America. The murder of George Floyd comes in the middle of a pandemic that has inflicted disproportionate harm on communities of color, especially the Black community, because of deep underlying disparities in our society that have been well documented. It comes amid a pandemic that has shone a harsh light on deep inequality in our education systems, including the digital divide and the homework gap, but so much more.

The reality is we must put all of our systems under the microscope and very intentionally root out racial bias and discriminatory impact. In the city of Baltimore, in my State of Maryland,

we have a terrible legacy of housing segregation. Baltimore City had an explicit committee on segregation, which was followed by harsh and restrictive covenants and redlining that blocked our Black community from economic mobility. That may seem like a long time ago, but the harmful impact of those laws is lasting, and you can still trace those red lines separating our neighborhoods today.

So let us be very clear here that these disparities can be directly traced to policies that were designed to discriminate. For decades, Federal, State, and local policies covering issues from housing to banking amounted to nothing less than state-sponsored efforts to deny African-Americans the basic equal rights they are owed under our Constitution. While many of these policies are off the books today, their legacy endures and practices endure, and it is our obligation at every level of government to uproot and destroy those embedded policies with the same kind of deliberation that they were put in place in the first place.

Now, the protests taking place in Minneapolis and all across the country are an expression of the deep pain caused by the continued death toll and other harms caused by our failure as a nation to address the underlying inequities in our society and in our institutions. That is why people have taken to the streets to protest. It was Dr. King who said: There can be no justice without peace, and there can be no peace without justice. Real justice and real peace is long overdue.

Last night, in response to those protests, we witnessed something I never thought we would see in the United States of America. We had the President of the United States call up and order military police to fire tear gas and rubber bullets at peaceful protesters to clear a path for him to conduct a photo op in front of Saint John's Episcopal church, a historic church close by to the White House.

Here is what Mariann Budde, the bishop of the Episcopal archdiocese of Washington, had to say about what the President did. She made a statement that outlined the President's abuse of their church for his political purposes, and then the church itself issued the following statement—I should point out that the pastor of the church and many of the parishioners were at the protest and providing water and nutrition to some of the protesters.

Here is what the leaders of the church said:

We at St. John's Church were shocked at the surprise visit from the President this evening and even more appalled at the violent clearing of Lafayette Square to make the visit possible. St. John's is a community that welcomes all—from powerful presidents to the homeless—to worship God. We fully espouse the words of our Baptismal Covenant, which says, in part, that we “will strive for justice and peace among all people and respect the dignity of every human being.”

Living that covenant, we stand with those peacefully protesting the tragic and unnecessary death of George Floyd, and the far too many who came before him.

We pray that our nation finally confronts its history of racism and, as a result, can fully embrace the peace of God that passes all understanding.

Those are really words that we should have heard from our President. Instead, they came from religious leaders responding to the President's use of their church for political purposes—and, in the process, violating the First Amendment rights of peaceful protesters, the rights of those protesters to peacefully assemble, as the President ordered up military police to clear a peaceful crowd.

We also listened in disbelief as Mark Esper, the Secretary of Defense, talked about turning public places into “battle spaces” to be dominated. This is the Secretary of Defense, who is charged with defending our country, talking about turning rubber bullets and tear gas against peaceful protesters here in the United States.

We witnessed General Milley, Chairman of the Joint Chiefs of Staff, in full military uniform, presiding over the breakup of this peaceful demonstration.

I remind Secretary Esper and Chairman Milley that their oath is to support and defend the Constitution of the United States, and they are not permitted by that oath to follow illegal orders, even from the President of the United States.

The President of the United States can give them what orders he chooses, but the Constitution and their oath requires that their first loyalty be to the United States of America and not to any one individual.

So I think it is important that we investigate this incident and the role that the Secretary and the Joint Chiefs of Staff played in following the President's illegal orders, illegal because they represented a gross violation of the First Amendment rights of citizens of the United States to peacefully assemble.

Let me close with this. I said at the outset that this is a moment when our country has different paths to choose and this Senate is very much a part of deciding which path we will take. Will we take the path that Senator BOOKER said of not only having moments of silence, but working together to pass true reform to address police accountability, to address other forms of systemic racism? Will we be willing to stand up to the President of the United States when he violates the civil rights and First Amendment rights of American citizens?

That is really a test for this institution, whether we are willing to do our job and uphold our oath to the Constitution of the United States.

Thank you, Madam President.

I yield the floor.

## ADJOURNMENT UNTIL 10 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 10 a.m. tomorrow.

Thereupon, the Senate, at 6:20 p.m., adjourned until Wednesday, June 3, 2020, at 10 a.m.

## NOMINATIONS

Executive nominations received by the Senate:

### DEPARTMENT OF DEFENSE

LUCAS N. POLAKOWSKI, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF DEFENSE, VICE GUY B. ROBERTS, RESIGNED.

### SECURITIES INVESTOR PROTECTION CORPORATION

THOMAS M. MISTELE, OF FLORIDA, TO BE A DIRECTOR OF THE SECURITIES INVESTOR PROTECTION CORPORATION FOR A TERM EXPIRING DECEMBER 31, 2023. (REAPPOINTMENT)

THOMAS M. MISTELE, OF FLORIDA, TO BE A DIRECTOR OF THE SECURITIES INVESTOR PROTECTION CORPORATION FOR A TERM EXPIRING DECEMBER 31, 2020, VICE ORLAN JOHNSON, RESIGNED.

### SECURITIES AND EXCHANGE COMMISSION

HESTER MARIA PEIRCE, OF OHIO, TO BE A MEMBER OF THE SECURITIES AND EXCHANGE COMMISSION FOR A TERM EXPIRING JUNE 5, 2025. (REAPPOINTMENT)

### EXECUTIVE OFFICE OF THE PRESIDENT

DEREK KAN, OF CALIFORNIA, TO BE DEPUTY DIRECTOR OF THE OFFICE OF MANAGEMENT AND BUDGET, VICE RUSSELL VOUGHT.

### DEPARTMENT OF STATE

C. KEVIN BLACKSTONE, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE DEMOCRATIC REPUBLIC OF TIMOR-LESTE.

### UNITED STATES ADVISORY COMMISSION ON PUBLIC DIPLOMACY

CHARLES L. GLAZER, OF CONNECTICUT, TO BE A MEMBER OF THE UNITED STATES ADVISORY COMMISSION ON PUBLIC DIPLOMACY FOR A TERM EXPIRING JULY 1, 2023. (REAPPOINTMENT)

### DEPARTMENT OF STATE

MICHAEL A. MCCARTHY, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF LIBERIA.

WILLIAM W. POPP, OF MISSOURI, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF GUATEMALA.

### THE JUDICIARY

EDMUND G. LACOUR, JR., OF ALABAMA, TO BE UNITED STATES DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF ALABAMA, VICE ANDREW LYNN BRASHER, ELEVATED.

### IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

#### To be lieutenant general

MAJ. GEN. CARL E. SCHAEFER

THE FOLLOWING NAMED AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

#### To be lieutenant general

MAJ. GEN. KIRK S. PIERCE

### IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

#### To be major general

BRIG. GEN. ALEX B. FINK

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

#### To be brigadier general

COL. EDWARD H. BAILEY

COL. MARY V. KRUEGER  
COL. ANTHONY L. MCQUEEN

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT AS DIRECTOR, ARMY NATIONAL GUARD, AND FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 601 AND 10506:

#### To be lieutenant general

MAJ. GEN. JON A. JENSEN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

#### To be brigadier general

COL. JED J. SCHAERTL

### IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

#### To be lieutenant general

LT. GEN. ROBERT F. HEDELUND

### IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

#### To be lieutenant colonel

KIRK W. GREENE

### IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY CHAPLAIN CORPS UNDER TITLE 10, U.S.C., SECTION 624:

#### To be lieutenant colonel

MAURO QUEVEDO, JR.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 7064:

#### To be colonel

SHAHIN NASSIRKHANI

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

#### To be major

ALFREDO CARINORIVERA

### IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

#### To be captain

SUZETTE INZERILLO

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

#### To be captain

THOMAS G. CHEKOURAS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

#### To be captain

RYAN P. ANDERSON

SEAN M. ANDREWS

DONALD E. BAKER

MARK S. BOWMER

PATRICK W. BROWN

CHRISTOPHER M. BUCZKOWSKI

KEITH A. CAPPER

STEFAN EDWARDS

VINCENT V. ERNO

DALE A. HANEY

RONALD L. HOAK II

PETER J. HOLDORF

DAVID J. HUBER

KENNETH J. JACKSON

CARL W. KOCH

SHAN S. LEBLANC

CASS K. MADSON

CRAIG A. MIHALIK

FRANK D. MILLER

CHRISTOPHER A. NEWELL

DAVID W. PAVLIK

RYAN M. PERRY

JOSEPH C. PESTAR, JR.

JOSEPH H. PETH

ALLEN RIVERA

DAVID W. RODEBUSH

PHOEBE U. TAMAYO

JAMES A. TROUT

JUAN C. URIBE

KRISTIAN L. WAHLGREN

SHANNON W. WALKER

ALEXANDER D. WALLACE III

MELISSA A. WILLIAMS

MICHELLE M. WILLIAMS