

saying it at this late date. I urge my colleagues to do the right thing by supporting this resolution.

UNANIMOUS CONSENT REQUEST—S. RES. 604

Mr. President, as in legislative session, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 604, which was submitted earlier today. I further ask 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 (Mr. SCOTT of Florida). Is there objection?

The PRESIDING OFFICER. The Senator from Idaho.

Mr. RISCH. Mr. President, reserving the right to object, what you are seeing here today is a pure, unadulterated exercise in politics—politics that are steeped with the difference of political philosophy between the two parties.

With relation to the complaint that my colleague has just made that this nomination hasn't been adequately vetted, this nomination was made 2 years ago tomorrow, June 4, 2018.

Mr. Pack came before the committee. He has been before the committee twice. He has produced numerous documents due to the complaints of the Democrats on the committee. He has been looked at by the White House. His business dealings have been looked at by the Justice Department, by the Internal Revenue Service, and he has been cleared of anything.

The U.S. Agency for Global Media is an important agency because it is charged with supporting international broadcasting outlets around the world in the face of the kinds of misinformation and things that are put out by other countries that are untrue.

The real reason for the objection to Mr. Pack's nomination is that this man is a patriot. This is a man who makes documentary films that portray the greatness of America.

Anyone who disagrees with that ought to spend the time to look at the documentary he just made, which was run on public TV within the last 30 days, regarding Clarence Thomas and what he had to go through to get on the Supreme Court. It was a superb representation of what happened in that. If you watch that, you will see why the Democrats are absolutely opposed to Mr. Pack.

But don't take our word for this. RealClearPolitics, after this whole thing started, did its own investigation into this, and they noted that the business arrangements of Mr. Pack used to make these documentaries are very common for documentary filmmakers and, like Pack, filmmakers and television producers also use nonprofits to collect contributions from donors and then set up a for-profit company to make these films. This is exactly what Senator MERKLEY was objecting to.

Having said that, they went on to interview others, including attorneys and everything else. Another producer

with no business ties to Pack told RealClearPolitics "that he set up the same two-pronged way of funding films last year on the advice of counsel, who told him it was standard operating procedure."

This has been looked at. It has been reviewed. Look, the committee has had this in its hands for almost 2 years. I have been really patient. Every time that I set this for a hearing and they wanted more time, I let that go.

Finally, the last time, I was really, really disappointed in the Democrats' engagement of the political system, enjoining it with the potential criminal justice system, to try to stop this.

The night before the business meeting, I got a letter from the attorney general for the District of Columbia—obviously a partisan individual—that says that he is going to look at this and, therefore, he is investigating it. The Democrats then said: Well, we can't go ahead with this because he is being investigated by this partisan person from DC.

Look, I am on the Ethics Committee. There are six of us. Half of us sit on the Foreign Relations Committee. In every instance I can think of on the Ethics Committee where the U.S. Justice Department has asked us to stand down because they were doing a legitimate criminal investigation, we have done so.

In this particular case, it was a partisan agency of the District of Columbia that noticed that they were going to do this investigation.

I started my career as a prosecutor. I have always felt that the justice system and the prosecuting system should be above politics, but to get a partisan individual to send a letter—after 2 years—on the eve of the business meeting, that he was going to open a business meeting again, after many delays, was just too much.

But I did delay the business meeting for 1 week, and after that 1 week we had a business meeting. The Democrats made motion after motion to delay. Again, I was as patient as I could be.

I said during these motions that we were only going to go on so long with this. Finally, as was noted by some of the attorneys in the room, had this occurrence happened in a court of law, the attorneys would have been held in contempt of court for making repetitive motions that were obviously delay motions and done spuriously.

So, after the eighth motion, I declared the motions out of order, and we went to what democracies do. We went to a vote. To no one's surprise, it was a straight party-line vote: 12 votes to send Mr. Pack's confirmation to the floor for confirmation and 10 votes against that.

This is a democracy. The way we do this is we have disagreements, particularly when it comes to political matters such as this, but to try to engage the justice system in this I find just really, really disheartening.

We are going to have a vote on Mr. Pack, and it is very simple. If you

don't want Mr. Pack to take this job, then you vote no, and if you do, then you say yes. But this has been investigated back and forth. Regardless of the breast-beating and the rending of garments over what an awful person he is and how awful his businesses have been, keep in mind, this is all politics. If you see the kind of work that he has done, he makes America proud when he makes a documentary.

So I would object to the resolution that has been proposed.

The PRESIDING OFFICER. Objection is heard.

The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, I ask to speak for up to 5 minutes before the vote.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. MENENDEZ. Mr. President, I want to, first of all, thank Senator MERKLEY for his leadership on the resolution and for his thoughtful and substantive contributions as a member of the Senate Foreign Relations Committee and to express our deep disappointment that our Republican colleagues are blocking his resolution, which basically says that we should not move forward on a nominee—in this case, this nominee—when there are false statements to the IRS and to the Foreign Relations Committee for which he refuses to correct the record, which would have consequences. Those are indisputable.

It is abundantly clear that we need to formalize some standards that apply equally to all nominees, Democrat and Republican alike, and we should think of it as a floor beneath which the Senate should not fall.

Now, it is amazing to me that I know my Republican colleagues used to care about tax issues. As a matter of fact, they denied a previous distinguished majority leader of the Senate—on some arcane issue—the opportunity to become the Secretary of Health and Human Services. They have done it a bunch of times.

This issue is a \$4 million tax issue in which Mr. Pack took his nonprofit, totally controlled by him—totally controlled by him—and had all the moneys that were solicited to the nonprofit then sent to his for-profit company, totally controlled by him—totally controlled by him. And no other disbursements were made from the nonprofit for anyone else, for any other entity.

I didn't hear until now that the Justice Department and the IRS has reviewed this. It should be forthcoming, then, that they have cleared this, that this is now in the course of business. We can create a nonprofit; go ahead and get moneys from people; they will get their deductions; and then we can send it to ourselves for profit. That is one heck of a process.

Now, the chairman continues to say "2 years." Well, 2 years ago there was a Republican chairman of the committee—our colleague Bob Corker. He

did not move this nomination 2 years ago. So with this constant refrain of 2 years, I guess you want to blame former Senator Corker for not moving it during that period of time.

At the chairman's request, I met with Mr. Pack. While he may not have been my nominee, I agreed to have a hearing, which is one of the standards we have in the Senate Foreign Relations Committee. There is an agreement between the chair and ranking. That has been violated for Mr. Pack. He actually went to a vote before the committee without my agreement, so that comity has been violated for the future.

At the end of the day, we have someone who will not ultimately—he says: Yes, I made a “mistake”—it is a \$4 million mistake—and, yes, I should have answered differently.

Well, why not correct it? If it is so simple, if it is so benign, why not correct it? The reason you don't want to correct it is that there are consequences that flow from that correction, including probably an IRS investigation.

Finally, it is interesting that, I guess, when Attorney General Barr does something, it is not political, but when the attorney general of the District of Columbia does it, it is political. I didn't know we were going to start choosing and picking which law enforcement entities are political in this country.

The attorney general of the District of Columbia had an investigation that was preceding before any action of the committee—preceding before any action of the committee or any information brought to the attention of the attorney general. Evidently, he considers it significantly serious enough—potential IRS violations on taxes.

So here are our Republican colleagues who, in the past, railed against anyone who had violations of the IRS Tax Code, saying they are not worthy of being a nominee, to going ahead and ramming through someone who ultimately has some serious issues to the tune of \$4 million, and that is not a problem. Under investigation—that is not a problem.

So I urge my colleagues to consider what you are doing here. Not only was a precedent set at the committee, but you will set a precedent on the floor, and it will be very hard for you to get up and rail about somebody's tax liabilities and what they did and didn't do honestly with the taxes at the end of the day.

With that, I yield the floor.

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 James H. Anderson, of Virginia, to be a Deputy Under 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 James H. Anderson, of Virginia, to be a Deputy Under 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 Massachusetts (Mr. MARKEY), the Senator from Vermont (Mr. SANDERS), the Senator from Hawaii (Mr. SCHATZ), the Senator from Minnesota (Ms. SMITH), and the Senator from Montana (Mr. TESTER) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote or change their vote?

The yeas and nays resulted—yeas 74, nays 18, as follows:

[Rollcall Vote No. 108 Ex.]

YEAS—74

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

NAYS—18

Baldwin	Harris	Murray
Blumenthal	Heinrich	Schumer
Booker	Klobuchar	Udall
Cantwell	Leahy	Van Hollen
Cardin	Merkley	Warren
Gillibrand	Murphy	Wyden

NOT VOTING—8

Cramer	Rounds	Smith
Hoeben	Sanders	Tester
Markey	Schatz	

The PRESIDING OFFICER. On this vote, the yeas are 74, the nays are 18.

The motion is agreed to.

The Senator from Illinois.

UNANIMOUS CONSENT REQUEST

Mr. DURBIN. Mr. President, 2 weeks ago, I came to the floor of the Senate to ask for consent on the simple, timely Senate resolution sponsored by nearly half of the Members of this Chamber. What did the resolution call for? Well, it urged the United States to join global coronavirus vaccine and treatment efforts. That doesn't sound like a radical idea, does it? In the midst of a global pandemic that is causing so much suffering and so many deaths, it would seem that asking the United States to join other countries of the world in searching for therapies and vaccines is just common sense.

We don't know where or when a vaccine will be discovered. We don't know if an effective treatment will be discovered in the United States or in some other place. Certainly, with the respected medical and scientific leadership in the United States, you would hope that it would be here, but let's be honest. If a safe and effective vaccine against the coronavirus is discovered in some other country, the United States would want to be there and be part of the discussion about its production and distribution. Wouldn't we? That is all this resolution says.

Why not team up with allies around the world since we are all looking for the same thing—a safe and effective vaccine. Whether that vaccine is stamped “Made in the USA” or is made in some other country is secondary. Is it safe? Is it effective? Will it save lives? Do we really want the American people to be left out of such an effort? It was a global effort to eliminate smallpox, Ebola, polio, and so many other deadly diseases we took for granted. We were all in it together.

These viruses and diseases don't know any boundaries. People around the world have the same fears and concerns that we have in the United States about what we are paying in price of suffering and death until we find a way to avoid it. This resolution would just call on the United States to be part of a global effort to find a therapy and a vaccine, but this resolution was blocked here in the Senate. Since then, since the 2 weeks that have passed, we have lost over 100,000 American lives. Sadly, the number still grows. This has been 100,000 lives in just a few months—the same number of American casualties in the wars of Korea, Vietnam, Iraq, and Afghanistan combined.

What was President Trump's response? Was there empathy or a message of national unity or healing during this tragic moment? No. Once again, President Trump refused to take any responsibility for leadership during this crisis. Sadly, he has cast blame in every direction and ignored his own responsibility amid a deadly global pandemic that has had devastating consequences for the American people.