

Pack to head up the U.S. Agency for Global Media. This typically is a job that doesn't get a whole lot of attention here on the Senate floor, but this time, I believe it should.

This is yet another Trump nominee who appears to be covering up a whole array of sketchy financial wheeling and self-dealing, and apparently my colleagues on the other side of the aisle are just looking the other way, not interested.

So here is the short version of the story. For more than a decade, Mr. Pack ran two entities—a nonprofit film organization and a for-profit production company. His nonprofit raised millions of dollars under its tax-exempt status, and it pumped that money into his for-profit production company, nowhere else. At a minimum, this looks to me like a serious, flagrant abuse of a taxpayer subsidy. Mr. Pack made false statements about this arrangement to the IRS. So as the ranking Democrat on the Finance Committee, I care greatly about that matter if one were to look at nothing else.

When he was first nominated in the previous Congress, Mr. Pack got caught in these false statements by staff on the Foreign Relations Committee. When he was renominated in this Congress and submitted new paperwork, he made false statements about having made false statements. Truly astounding.

Now there are a host of unanswered questions about Mr. Pack's murky financial dealings. Fortunately, Ranking Member MENENDEZ is still trying to get to the bottom of this. Now, Ranking Member MENENDEZ is doing his job by the book. He is doing his job. He has been in communication with the administration when it comes to the vetting process for the nominees and, every step along the way, has tried to do responsible vetting.

Furthermore, the financial web of Mr. Pack is under investigation by the Attorney General of the District of Columbia. Why not wait to get the results of that investigation? Why rush to confirm a nominee before all the facts are before the Senate? This is a question over whether a nominee broke the law and ripped off taxpayers.

When Democrats on the Senate committee of jurisdiction tried to investigate it, Mr. Pack told everybody to just go pound sand. So once again, we have a Trump nominee making a mockery of the Senate constitutional responsibility, and as far as I can tell, the Senate is just going to do nothing about it.

(Mr. YOUNG assumed the Chair.)

For my last few minutes, I just want to remind colleagues of the way things used to be. The way it used to be is both sides of the Senate took advice and consent seriously. For example, in 2009, Chairman Baucus and Ranking Member GRASSLEY held up one nominee and wrote an exhaustive 12-page memo over a matter of \$53 in local tax late fees and some sloppy paperwork. An-

other 2009 nomination, Ron Kirk, to be the U.S. Trade Representative, was held up for months over a tax matter involving some basketball tickets and a television he donated to his local YMCA. In 2010, another nominee was grilled in his hearing before the Finance Committee over a tax debt of \$800.

Senators on both sides of the aisle—both sides of the aisle—always tried to do a thorough vetting and tried to work on it together. In all three of these cases, which I remember as a member of the Finance Committee, the nominees answered the Senate's questions, paid what they owed, and that was that. The Senate did its job, and it was the right thing to do.

I think as we move to the vote here in the Senate, we ought to start talking about one question, and that is this: What has changed in the Senate about the vetting process of these nominees? What happened to the old bipartisan commitment to advise and consent, to fully vet nominees? The majority has just rubberstamped and rubberstamped some more. Trump nominees show a blatant disregard and disdain for the oversight process that historically has been central to the bipartisan work of this body.

Now the President might be totally indifferent to the role and duties of the Senate, but I don't see any reason why Senators here, Democrats or Republicans, have to agree with that. It undermines the role of this Senate and the Congress as a coequal branch of government. The precedent of a bipartisan vetting process simply cannot withstand it.

It has been said here before that the Federal Government doesn't need anybody so badly that the person should get a special set of rules. That, regrettably, is the way it seems to be for this nominee—a nominee whose finances are currently under investigation and, apparently, with the majority's support, is going to get confirmed because the majority has decided to essentially set aside years and years of bipartisan work, responsible work, to thoroughly investigate and vet those who are nominated to serve in our government.

I am going to oppose this nomination, and I hope my colleagues will think about what is really at issue here, because what goes around comes around. Is the Senate going to get serious about the way matters used to be handled, particularly on the Senate Finance Committee, since we have a member of our committee in the Presiding Officer's chair? The Senate Finance Committee did it right, did it right for years, by the books, in a bipartisan fashion. That is not being used here; in fact, it is being tossed out the window. I think the Senate is going to regret it. I urge my colleagues to oppose the nominee.

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. GARDNER. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. RISCH. Mr. President, I would like 3 minutes to close the debate on Michael Pack.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

#### NOMINATION OF MICHAEL PACK

Mr. RISCH. Mr. President and fellow Senators, we are about to do the final vote on Michael Pack. This man is uniquely qualified to hold this position. He has done an outstanding job. Everyone should look at the most recent documentary he did on the Supreme Court. It was just outstanding.

There has been a political fight over him for 2 years and 1 day. Today is the moment of truth. It is time to vote on Mr. Pack. Debate is closed.

I yield the floor.

#### VOTE ON PACK NOMINATION

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

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

Mr. RISCH. Mr. 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 legislative clerk called the roll.

Mr. THUNE. The following Senator is necessarily absent: the Senator from North Carolina (Mr. BURR).

Mr. DURBIN. I announce that the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Massachusetts (Mr. MARKEY), the Senator from Vermont (Mr. SANDERS), the Senator from Hawaii (Mr. SCHATZ), the Senator from Arizona (Ms. SINEMA), the Senator from Minnesota (Ms. SMITH), the Senator from Montana (Mr. TESTER), and the Senator from Massachusetts (Ms. WARREN) are necessarily absent.

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

The result was announced—yeas 53, nays 38, as follows:

[Rollcall Vote No. 113 Ex.]

#### YEAS—53

Alexander	Daines	Lee
Barrasso	Enzi	Loeffler
Blackburn	Ernst	Manchin
Blunt	Fischer	McConnell
Boozman	Gardner	McSally
Braun	Graham	Moran
Capito	Grassley	Murkowski
Cassidy	Hawley	Paul
Collins	Hoeven	Perdue
Cornyn	Hyde-Smith	Portman
Cotton	Inhofe	Risch
Cramer	Johnson	Roberts
Crapo	Kennedy	Romney
Cruz	Lankford	Rounds

Rubio	Shelby	Toomey
Sasse	Sullivan	Wicker
Scott (FL)	Thune	Young
Scott (SC)	Tillis	

## NAYS—38

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

## NOT VOTING—9

Burr	Sanders	Smith
Klobuchar	Schatz	Tester
Markey	Sinema	Warren

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.

The Senator from Kentucky.

## LEGISLATIVE SESSION

## MORNING BUSINESS

Mr. PAUL. Mr. President, I ask unanimous consent that the Senate proceed to legislative session and be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

UNANIMOUS CONSENT REQUEST—  
H.R. 35

Mr. PAUL. Mr. President, I ask unanimous consent for the expedited passage of H.R. 35, the Emmett Till Antilynching Act, as amended. I seek to amend this legislation not because I take lynching lightly but because I take it seriously, and this legislation does not.

Lynching is a tool of terror that claimed the lives of nearly 5,000 Americans between 1881 and 1968, but this bill would cheapen the meaning of lynching by defining it so broadly as to include a minor bruise or abrasion. Our Nation's history of racial terrorism demands more seriousness from us than that.

W.E.B. Du Bois wrote in his autobiography about the 1899 lynching of Sam Hose in Georgia. Du Bois wrote that, after the lynching, Hose's knuckles were viewed on display at a store on Mitchell Street in Atlanta. His liver and heart were even presented to the Governor of Georgia as a souvenir.

Sickening, grotesque—the images of lynching.

In 1931, Raymond Gunn was lynched in Maryville, MO. The spectacle drew a crowd of almost 4,000 people, including, if you can believe it, women and their

children. In the tragedy of lynching, the author writes that one woman even held her little girl up so high so she could better see the victim who was “blazing on the roof.”

Sickening and grotesque, these images.

In the summer of 1955, 14-year-old Emmett Till was visiting family in Money, MS, when he went to a country store and bought some candy. While in there, he was accused of flirting with a White woman, and for that offense, Emmett Till was kidnapped in the middle of the night and bludgeoned so badly that, afterward, his body was unrecognizable. He could only be identified by the ring he was wearing. After seeing her son's remains, his mother insisted on having an open casket funeral so the whole world could see what the killers had done to her son.

We must remember the murders of Emmett Till, Raymond Gunn, Sam Hose, and the thousands of others whose lives were destroyed by the barbarity of the lynch mob, but this bill will not do that. This bill would expand the meaning of “lynching” to include any bodily injury, including a cut, an abrasion, or a bruise, physical pain, illness, or any other injury to the body, no matter how temporary.

Words have meaning. It would be a disgrace for the Congress of the United States to declare that a bruise is lynching, that an abrasion is lynching, that any injury to the body, no matter how temporary, is on par with the atrocities done to people like Emmett Till, Raymond Gunn, and Sam Hose, who were killed for no reason but because they were Black. To do that would demean their memories and cheapen the historic and horrific legacy of lynching in our country.

As Congressman AMASH stated, “To be clear, the bill does not make lynching a new Federal hate crime. Murdering someone on account of their race or conspiring to do so is now illegal under Federal law. It is already a Federal crime, and it is already a hate crime.”

He is right. We have had Federal hate crime statutes for over 50 years, and it has been a Federal hate crime to murder someone because of his race for over a decade. Additionally, murder is already a crime in 50 States. In fact, rather than considering a good-intentioned but symbolic bill, the Senate could immediately consider addressing qualified immunity and ending police militarization.

We can and must do better. That is why no one in the Senate has been more involved in criminal justice reform than I have. No one has introduced more criminal justice reform bills. In my time in the Senate, I have authored or cosponsored at least 22 unique criminal justice reform bills. I am acutely aware of the injustices perpetrated year in and year out in our cities, but reform needs to be more than window dressing.

That is why I am on the floor today to offer the expedited passage—pass it

today—of the Emmett Till Antilynching Act, as amended. Lynching is a particularly vicious kind of murder, and a Federal law should treat it as such. For these reasons, the Emmett Till Antilynching Act should be adopted with my amendment, which would apply the criminal penalties for lynching only and not for other crimes.

Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 35, which was received by the House. I ask unanimous consent that my amendment at the desk be agreed to, that the bill, as amended, be considered read a third time and passed, and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

The Senator from California.

Ms. HARRIS. Mr. President, in reserving the right to object, the idea that we would not be taking the issue of lynching seriously is an insult, an insult to Senator BOOKER, to Senator TIM SCOTT, to me, and to all of the Senators, past and present, who have understood that this is part of the great stain of America's history.

To suggest that anything short of pulverizing someone so much that the casket would otherwise be closed except for the heroism and courage of Emmett Till's mother, to suggest that lynching would only be a lynching if someone's heart were pulled out and produced and displayed to someone else is ridiculous—and on this day, the day of George Floyd's funeral and a day that should be a day of national mourning.

In 2018, the Senate unanimously passed bipartisan antilynching legislation, which I proudly introduced with the only other Black Members of this body—Senator CORY BOOKER and Senator TIM SCOTT. It was a historic moment. It marked the first time in the history of our country that Federal antilynching legislation had been passed by the U.S. Senate. It passed again by unanimous consent in 2019.

Senator PAUL is now trying to weaken a bill that was already passed. There is no reason for this. Senator PAUL's amendment would place a greater burden on victims of lynching than is currently required under Federal hate crimes laws. There is no reason for this. There is no reason other than its being cruel and deliberate obstruction on a day of mourning.

On this very day, at this very hour, there is a memorial service to honor the life of George Floyd, who was murdered on a sidewalk by a police officer, with a knee on his neck. For 8 minutes 46 seconds, George Floyd pled for his life, called for his late mother, and said he could not breathe. The pain experienced not only by that man, that human being and his family and his children, but the pain of the people of America witnessing what we have witnessed since the founding of this country, which is that the Black lives have