

to have in such a role. He graduated from Duke summa cum laude and then from Harvard Law magna cum laude. He clerked on the DC Circuit himself for an impressive young judge named Brett Kavanaugh and then on the Supreme Court.

He has built a national reputation as a leading academic scholar of the law. It is no wonder that even the ABA rates him “well qualified.” He has quickly made a name for himself as a district judge.

A few weeks ago, when the mayor of Louisville tried to cancel drive-in Easter services with disparate restrictions that did not apply equally to other parking lots, Judge Walker won national attention for his eloquent defense of religious liberty. This subject becomes more important by the day. The American people deserve to have strong respect for their First Amendment rights, including their rights of religious exercise and conscience, on one of our country’s highest courts. So I look forward to continuing to detail our Kentucky pride for Judge Walker as this week unfolds, and I will take great pride in voting to advance his nomination and to confirm him.

#### GREAT AMERICAN OUTDOORS ACT

Mr. MCCONNELL. Madam President, the Senate will first pass the Great American Outdoors Act. It will be a big step in the history of our Nation’s public lands and great news for their future.

This bill is the product of a lot of hard work by many of our colleagues on both sides of the aisle. It has two clear purposes: It will restore access and function to parks and facilities that have been neglected, and it will secure a stable flow of resources to support recreation and conservation well into the future.

I have detailed in recent days just how many Americans rely on our Nation’s public lands—from the guides and outfitters who cater to the booming outdoor recreation economy; to the hotel workers, restaurant owners, and gateway communities that welcome hundreds of millions of annual visitors; to the researchers who study historic sites and unique habitats; to the hunters, anglers, sportsmen, and American families who explore millions of acres of open space.

It is clear that a bright economic future for America is intertwined with this precious resource, so backlogged maintenance and delayed upkeep are a real problem. Too often, tough budgetary choices have left important facilities worn down and natural treasures inaccessible. I am proud that this legislation before us will tackle these critical missions, but you certainly don’t have to take my word for it; you can look to the list of no fewer than 60 cosponsors on both sides of the aisle or to the 80 Senators who voted to advance consideration of the bill last week, or you could sample from the

ringing endorsements of an impressive cross-section of American recreation and conservation advocates.

Take, for example, the letter the Democratic leader and I received from the last six former Secretaries of the Interior. Men and women who served under Presidents of both parties came together to tell us that “the Great American Outdoors Act will help ensure a better, brighter future for nature and for all of us.”

Hundreds of advocacy organizations, from the Sierra Club to the American Sportfishing Association, also approve. They say the bill “will ensure that our parks and other public lands continue to preserve our nation’s heritage and recreation opportunities, and that local communities and economies . . . will continue to flourish.”

It is not often that we are presented with the opportunity to take overwhelmingly bipartisan action that will affect a monumental part of American life for so many years to come, and the opportunity in front of us this week comes thanks to the dedicated work of several of our colleagues.

In particular, I would like to thank Senator DAINES and Senator GARDNER once again for their extraordinary leadership. I look forward to seeing their efforts across the finish line, and I urge all Members to join me in supporting this bill and securing our natural wonders for generations of Americans yet to come.

#### RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

#### LEGISLATIVE SESSION

##### TAXPAYER FIRST ACT OF 2019— Resumed

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 1957, which the clerk will report.

The senior assistant legislative clerk read as follows:

A bill (H.R. 1957) to amend the Internal Revenue Code of 1986 to modernize and improve the Internal Revenue Service, and for other purposes.

Mr. MCCONNELL. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. SCHUMER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

#### BOSTOCK V. CLAYTON COUNTY, GEORGIA

Mr. SCHUMER. Madam President, yesterday, the Supreme Court ruled that the Civil Rights Act of 1964 does, in fact, prohibit employment discrimination on the basis of sexual orientation and gender identity. It was a landmark decision that represents a step forward—a big step forward—on the long march to full equality for LGBTQ Americans. We salute that decision. That is what the Supreme Court should be doing—moving us in a direction of equality and fairness. All too often, it doesn’t these days. So this was a refreshing breath of fresh air from that Court.

The march, of course, is not over. Yesterday’s decision, welcomed as it is, reminds us that, even today, even in 2020, we have so much work left to do to advance the cause of justice and equality for all Americans. Only a few days ago, our laws didn’t clearly establish that you couldn’t be fired by your employer simply because of who you are and whom you love. Yesterday’s decision is not the end of the fight. It was one step forward. If it is wrong to discriminate against people because of whom they love and because of who they are and if it is wrong to discriminate against people on the basis of sexual orientation and gender, isn’t it wrong on the job? If it is wrong to discriminate against people on the basis of sexual orientation and gender on employment, isn’t it wrong on housing? Isn’t it wrong on so many other issues?

That is why we need the Equality Act to pass. The decision is certainly not the end of the fight. Disparities and discrimination on the basis of sexual orientation and gender identity still exist in so many aspects of our lives—education, housing, credit, public spaces, services, and in many other ways. If it is wrong to discriminate against people because of their sexual orientation and gender on jobs and employment, it is equally wrong in these other areas like housing and education. We need to pass the Equality Act, which expands the prohibition of discrimination to many other needed areas.

Today, Senate Democrats will send a letter from our caucus to Leader MCCONNELL urging him to schedule the Equality Act for a vote on the floor. The House passed it a year ago. It has been languishing in MCCONNELL’s legislative graveyard. I would say to my Republican colleagues: If some of the most conservative people around, like Justice Gorsuch and Justice Roberts, can come to the conclusion that we should stop discriminating, where are you? The Senate Republicans only seem 30 years behind the times on this issue for sure.

I urge the leader to put the Equality Act on the floor now, and let’s extend what the Supreme Court did in terms

of employment to so many needed other areas. Wake up, my Republican friends. The times, they are changing, and discrimination against LGBTQ Americans should be over once and for all and should be the law of the land in every aspect of our lives.

JUSTICE IN POLICING ACT

Madam President, now, on another issue where the Republican caucus seems to be behind, since the killing of George Floyd sparked nationwide protests, we have been pushing our colleagues in the Senate to respond to our national pain with collective action. This is a moment in American history where a great mass of our people are demanding change in the streets of our largest cities and smallest towns. Now is the moment to reach for real, lasting, strong, comprehensive change. We cannot merely make some changes around the margins.

Democrats drafted and proposed comprehensive police reform legislation last Monday, the Justice in Policing Act, led by Senators Booker and Harris. With 4 weeks to go in this current session, we have asked Leader MCCONNELL to commit to a vote on the Justice in Policing Act before July 4. We didn't say: "Do our bill immediately." We asked our Republican colleagues to commit to a debate on our bill before July 4—within the next 4 weeks—but so far we haven't heard any indication from the Republican majority that we will take up comprehensive police reform this month.

Last night, a member of the Republican leadership said a bill was unlikely before July 4. Of course, Leader MCCONNELL has also reportedly told his caucus that the Senate was unlikely to do another COVID relief bill until after July 4. When it comes to urgent national priorities, the Republican majority is like a broken Magic 8-Ball that keeps saying: "Ask again later."

Peaceful protests have continued for 3 weeks, and Republican Senators want to wait another month, maybe even longer, to consider reform on the floor of the Senate? The popular anger over long-simmering issues of police brutality and racial justice has reached a tipping point. There is no reason to wait. There is no reason to delay. By delaying action, Senate Republicans are playing the same dangerous political games that they played after mass shootings last summer.

Why is it that, when it comes to confirming rightwing judges who want to roll back the clock on healthcare and on voting rights, Senate Republicans always make time, but when it comes to making real changes to police departments, Senate Republicans are already making excuses? Democrats and the American people who overwhelmingly support real meaningful change and accountability in our Nation's police departments will not rest until we achieve comprehensive and bold reform.

CORONAVIRUS

Madam President, of course, we are also still waiting for the Republican

Senate majority to propose anything related to COVID-19. Only a few weeks ago, Leader MCCONNELL said that another coronavirus relief bill was likely during the June work period. Once again, in typical fashion of this Republican majority, the deadline has slipped, and now we have no time to consider another COVID bill before July 4, and this will have very real consequences for the American economy.

Leader MCCONNELL is willing to blow through his own deadlines, but some deadlines will arrive whether the Republican leader likes it or not. Whether he likes it or not, his inaction is creating some very steep cliffs for our economy and for the American worker. Funding for the very popular and bipartisan Paycheck Protection Program will run out on June 30. State and local governments need to finalize their budgets by July 4, and many of them will be forced to cut back on critical public services without public support. The moratorium on evictions that we passed in the CARES Act expires on July 24. The emergency unemployment insurance we passed in the CARES Act expires on July 31, and K-12 schools need over \$150 billion and as much time as possible to safely reopen this fall.

So, Leader MCCONNELL and Republicans, there are at least five cliffs and many more we face if we don't act soon: the cliff of funding small business, the cliff of helping State and local governments, the cliff on evictions, the cliff on unemployment insurance, and the cliff on the need for schools to reopen in September.

Today, Leader MCCONNELL and I received a letter signed by over 100 economists and scholars, including two former Chairs of the Federal Reserve, three former Chairs of the Council of Economic Advisers, and two Nobel laureates, urging Congress to pass another relief package commensurate with the \$16 trillion hole in our economy caused by COVID-19. At a minimum, these distinguished economists wrote: The bill should include "continued support for the unemployed, new assistance to states and localities, investments in programs that preserve employer-employee relationships, and additional aid to stabilize aggregate demand."

It sounds a lot like the Heroes Act, which passed the House of Representatives, but, once again, it is sitting in Leader MCCONNELL's legislative graveyard. Economists from all walks of life are telling Senate Republicans to get off the mat and do something to help the economy before it is too late. Governors from both political parties are pleading for aid. Even the Chair of the Federal Reserve, Jay Powell, appointed by President Trump, is sounding the alarm about the need for another emergency relief bill.

When will Senate Republicans finally get the message? When will they understand that unless we do these things, the economy will decline in the future, and that millions who are unemployed, millions whose businesses are in jeop-

ardy, and millions who want to see schools open will not get what they need? We must act now. When will Republicans in the Senate finally get the message? We need to act.

I yield the floor.

The PRESIDING OFFICER. The majority whip.

Mr. THUNE. Madam President, our economy has taken a huge hit from the coronavirus, and we have a lot of work to do to recover. There are encouraging signs, and one of those has been the success of the Paycheck Protection Program.

The pandemic has presented a particular challenge for small businesses that frequently have very limited cash reserves to draw on. That is why, thanks to the efforts of Senators RUBIO, COLLINS, and others, Congress established the Paycheck Protection Program, which provides forgivable loans to small businesses to help them keep employees on their payroll during this crisis.

So far, more than 4.5 million small businesses nationwide have received relief from this program, and the majority of the loans have gone to the smallest businesses. Nearly 3 million of the 4.5 million total loans have been at or under \$50,000. In my home State of South Dakota, more than 21,000 businesses have benefited, including some of the many seasonal businesses that have a limited amount of time each year to make the money that they need to survive.

I am very grateful to the thousands of bank and credit union employees around the Nation who processed these loans under challenging circumstances during the pandemic. All told, millions of small business jobs have been saved, and a lot of small businesses that might have gone under during the pandemic are hanging on thanks to this program.

In fact, the Paycheck Protection Program is undoubtedly one of the main reasons that the May jobs numbers were not as bad as expected. Instead of net job loss, the economy actually gained jobs.

Now, that is not to suggest that the May jobs report was rosy. Our unemployment rate is unacceptably high, to put it mildly, but the fact that we gained jobs is a positive sign. It is definitely a step in the right direction, and the Paycheck Protection Program helped us get there.

So far, Congress has provided \$2.5 trillion to respond to the coronavirus, including the almost \$700 billion allocated to the Paycheck Protection Program. That is a staggering amount of money, equal to roughly half of the entire Federal budget for 2020. These were extraordinary circumstances and extraordinary action was required.

However, Democrats are now pushing for Congress to rush another massive bill out the door. It is important to remember that every dollar Congress has provided to fight the coronavirus has been borrowed money. Now, as I said, it

is money that we needed to borrow, but it is still borrowed money that will have to be repaid.

Will we need to provide more money to confront the pandemic and its effects? Probably. But we need to make sure that we are only appropriating what is really necessary. Rushing a \$3 trillion bill through Congress, as Democrats want to do, before the \$2.4 trillion we have already provided has even been fully spent is not a responsible way to go about providing additional relief. What we need to focus on right now is monitoring the implementation of coronavirus funding so we can identify where we have spent sufficiently and where we may need to do more.

The Paycheck Protection Program provides a good example of the strategy that we should be using. Congress provided nearly \$350 billion for the Paycheck Protection Program when it was first created. Within a short time, after the program's kickoff, however, it became clear that demand was so great that we would need to provide additional funding, and that is what we did. We provided an additional \$310 billion in late April.

Then, just a couple of weeks ago, we passed another update to the program—not additional funding but a package of fixes to provide additional flexibility to small businesses.

I have proposed a further refinement to the program that I hope Congress will pass in the near future.

While the Paycheck Protection Program is open to self-employed workers—which describes many farmers—in practice, the program's guidelines have excluded a lot of agricultural producers.

Low commodity prices and a challenging planting season meant that many farmers and ranchers had a negative net income in 2019. And right now, the program's guidelines exclude farmers or ranchers without employees with a negative net income for last year.

My legislation would allow more farmers to access the Paycheck Protection Program by allowing them to use their 2019 gross income instead of their 2019 net income when calculating their loan award. This is what we should be doing when it comes to additional coronavirus funding.

The best way to make sure that we are spending taxpayer dollars wisely and not burdening our economy with more debt is to carefully monitor the implementation of the funds we have already provided and use that information to guide further action. That is what we have done with the Paycheck Protection Program, and that is what we should do with the other coronavirus funding we passed and the other coronavirus programs we implemented.

It is also important to remember that sometimes what is required is not additional money but other types of solutions, like the fixes we passed that add more flexibility to the Paycheck Protection Program.

As we move forward, I will continue to work with my colleagues to respond to the coronavirus, and I will continue to do everything I can to ensure that any additional money we spend is carefully targeted to the real needs, with an eye to minimizing the burden we are putting on future generations. We owe younger Americans nothing less.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, is there an urgent need for us to help America in this time of crisis? I think most people would agree there is. As a result, the House of Representatives more than 6 weeks ago passed legislation to continue to provide assistance to Americans who are in need. Certainly, that would include those who are unemployed. We created an unemployment Federal benefit of \$600 a week over and above the State benefit, expanded eligibility and the time the benefit would be awarded, and made it available across this country right at the moment when some 40 million Americans were announcing that they had lost their jobs, were unemployed. It was a helping hand that was long overdue and certainly made a difference in the lives of many families.

I think it is responsible for the fact that we did see welcome news last week that some 2 million Americans have gone back to work. I hope that trend continues, but in the meantime, of the 20 million who are unemployed, this helping hand of \$600 a week from the Federal Government is essential. It is not exactly a windfall when you calculate it. The Federal benefit, plus State benefit really comes up close to the average wage of most Americans. It is not a major benefit that they can live off of for any long period of time—that is for sure—but it gets them through the crisis, we hope, in paying their rent, their mortgage, utility bills, and providing food and clothing for their family.

Here is the problem: If you want to know if there is some urgency involved in unemployment insurance, consider the fact that on July 31, the program I have just described disappears. Do you think unemployment will disappear on July 31? We should be so lucky, but we know better. It is going to take a while for us to get back on our feet as a nation. We have to stand by those who are unemployed in the meantime, until they can get back to work and provide for their families.

Unfortunately, the program we created ends July 31. Is there an urgent need to extend it in some form? I believe that is obvious to virtually everyone. I can't understand why Senator McCONNELL, the Republican leader in the Senate, doesn't feel this sense of urgency in his home State of Kentucky, as I do in my home State of Illinois, right across the river. We have common areas. Downstate Illinois and Kentucky are somewhat similar in their economies, and I know there are people who need a helping hand.

I hope Senator McCONNELL will consider giving them that helping hand—but not just in this area. There is also included in the bill that passed the House of Representatives, the Heroes Act, an extension of COBRA benefits.

What is COBRA? If you are working for a company that provides health insurance, you pay part of the premium, and they pay the other part. If you lose your job but want to continue that health insurance plan, under COBRA you can if you pay both sides, employer and employee, on the premium. The average cost is about \$1,700 a month. It is a pretty hefty sum for anyone who just lost their job.

Under the bill that passed the House of Representatives, there would be 100 percent coverage of the employer's portion of the COBRA premium during the period of your unemployment. That is a helping hand, which most workers desperately need. I am sure they need it in the State of Kentucky, just as we do in the State of Illinois and all across the Nation.

There is a sense of urgency if you don't have health insurance, isn't there? We are more conscious than ever about the need for good health insurance. I would hope that Senator McCONNELL would consider that when he decides whether there is an urgent need for us to pass the bill that was enacted by the House of Representatives.

In addition, there is a major portion of the House bill that provides assistance to State and local governments. We desperately need it across the Nation. Hardly any State—county, major city, even cities of modest size—hasn't seen the cost of government go up as government revenues from sales tax, for example, have diminished and the cost of government related to the COVID-19 crisis have increased.

The helping hand to these State and local governments is consistent with what we did in the first bill, the CARES Act, and is desperately needed. What is the alternative? I know what it is, and most everyone does as well: There will be dramatic layoffs of State and local employees if we don't provide a helping hand from the Federal Government. These employees include, of course, teachers, medical personnel, law enforcement, and the like.

If we want to make certain that we maintain the basic protections of government at the State and local level, then Senator McCONNELL should consider supporting the bill that already passed the House of Representatives.

There is one major stumbling block when it comes to this issue of Senator McCONNELL taking up any measure to help our economy from this point forward. It was 6 weeks ago, in April, when Senator McCONNELL announced that he was drawing a redline that he wouldn't budge from, and that redline said that we had to provide immunity from liability for businesses and others before he would even consider additional benefits for American businesses and families. We don't know exactly

what the Senator had in mind. He announced on several occasions from the floor here that he wanted to put this immunity provision into any future package, but as of today, we still haven't seen it. We are still waiting.

One of his colleagues, Senator CORNYN from Texas and my colleague on the Senate Judiciary Committee, has given several speeches on the subject. There was one that he gave on May 19, which I would like to refer to because it is perhaps his longest statement and the longest Republican statement on just what they have in mind. Senator CORNYN said that there has been a wave of COVID-19-related lawsuits rolling in. He called it an avalanche of lawsuits. He went on to use other terms equally cataclysmic. He called it a litigation epidemic, a tidal wave of lawsuits. He went on to talk about those as creating a need for us to provide some protection against lawsuits.

I decided to take a look at this avalanche, this tidal wave that we heard about so much from Senator MCCONNELL and Senator CORNYN. You see, there is a law firm tracker service that takes a look at every lawsuit filed in America to see what they are all about. They have a category of lawsuits related to COVID-19, and they give regular reports on how many lawsuits are filed.

Let's take a look at the avalanche of lawsuits that have been filed as of yesterday. Remember, 2 million Americans have been diagnosed with the COVID-19 infection—2 million.

Out of 2 million Americans with COVID-19 infections and over 115,000 deaths, as of yesterday, how many medical malpractice lawsuits do you think have been filed based on COVID-19 against healthcare workers, doctors, nurses? How many across the whole United States of America? Five. Five. Some avalanche.

How many lawsuits have been filed by those who say that they are forced to work in unsafe working conditions because of COVID-19? In this tidal wave, there have been 49 of those lawsuits filed—49 across the entire United States.

By way of comparison, how many lawsuits have been filed involving COVID-related disputes between businesses and insurance companies? Six hundred and thirty-one.

Five hundred and sixteen lawsuits have been filed by prisoners because of what they have alleged to be unsafe living conditions related to COVID-19 and 194 lawsuits challenging governments' stay-at-home orders across the board.

This doesn't strike me as an avalanche or a tidal wave or some spate of frivolous lawsuits being filed by workers or customers. Part of the reason, you learn in your first year of law school. In tort law classes, one of the first things you are told is, before you can recover in a lawsuit, you have to prove causation. What was it that caused your injury? How is that de-

fendant responsible for your injury? It is a difficult thing to prove in many lawsuits and very difficult when it comes to an invisible virus as to what circumstances or what individual would be responsible for the fact that you became infected and are filing this lawsuit. Causation is hard.

Here is what it really gets down to: I believe—and most people do—that if a business or an entity is really making a reasonable, good-faith effort to protect employees and customers, that should be a defense to any lawsuit. What would that consist of? We had a hearing in the Senate Judiciary Committee 3 weeks ago. The star witness on the Republican side was a very impressive individual who represented the convenience stores of America. He was from the same State as Senator CORNYN, the State of Texas. His name is Mr. Smartt. He came in and told the story about many facilities that he had which were providing goods and services to the people of Texas and how he was making a good-faith effort to protect those who work for him and those who did business in his establishment. He talked about plastic shields. He talked about hand sanitizers. He talked about spacing and distancing. It was really clear from the start that this CEO of this major Texas corporation was doing his best to protect the people who came into his business and his workplace.

I thought it was a good statement when, on page 7 of his testimony—and I will refer you to it if you would like to look at the Senate Judiciary Committee testimony—he said that his biggest problem was he didn't know what standard he had to live up to, what was the proper thing for him to do from a public health point of view. He didn't know which way to turn. Was it the Centers for Disease Control? Was it the Occupational Safety and Health Administration? Was it the State of Texas? Was it some Federal agency? He was really begging us: Give me a standard to live up to, and I will do my level best to live up to it.

I don't think that is an unreasonable position. I salute him. I would like to be, if necessary, in court defending him, saying: This is a man who is trying his best in the business environment to be a responsible citizen, both for his workers and for his customers, but he doesn't have a standard to operate by.

Why don't we have this Federal standard? Well, you point the finger of responsibility to the White House. President Trump and his administration have refused to come forward with enforceable and inspectable standards that we can use to take a look at those who are trying to protect others from public health exposures. Without that Federal standard, companies like that one in Texas really don't know where to turn. If OSHA came up with a standard and said "This is what we expect in the workplace" and you lived up to that standard, I would say, as an attor-

ney who spent a lot of time in the courtroom, you have a pretty strong defense going for you—first, the issue of causation, and secondly, whether you have done what is reasonable on your part to protect people.

That is what it comes down to. Democrats and others argue that we should hold businesses to a reasonable standard of responsibility. We certainly don't encourage or defend frivolous lawsuits. But we don't want bad actors who are ignoring any reasonable standards or responsibility to get away with murder. They should be held responsible, and they should be reliable in terms of their own activity. That is what it comes down to.

Senator MCCONNELL is holding back assistance for State and local governments, money for hospitals, money for the unemployed, because of the so-called redline when it comes to immunity. Listen, it is human nature. If you say to businesses across the board "You are immune from lawsuits," I am afraid some people will take advantage of that. They will not even try. And people get sick as a result of it or maybe worse. We don't want that to happen in this country. We want people to do the right thing—to protect themselves, their families, and to protect others, and in business, to make sure they are protecting the public at large. If they live up to a certain standard, I think they have a good defense to any lawsuit.

But the so-called avalanche and tidal wave of lawsuits—5 medical malpractice lawsuits after 2 million Americans have been infected by COVID-19—really tells the story.

I would encourage the Republicans to finally produce and present to us the standard they want to make part of the law of the land. Let's see what is in it. Let's talk about it. And if you are willing to establish reasonable standards based on public health to protect the public at large, I want to be at the table. We can find common ground. But if you are saying "We want immunity for these businesses. We want to let them off the hook no matter what they do, even if they do nothing," I am sorry, that is worth a fight. We have to make sure that people across America have a reasonable expectation that when they enter a business or go to work, they are going to be in a safe environment, and that the people who employ them, the ones who want to do business with them, have lived up to that responsibility.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. BOOKER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. LOEFFLER). Without objection, it is so ordered.

## JUSTICE IN POLICING ACT

Mr. BOOKER. Madam President, just over a week ago, Senator HARRIS and myself, with the partnership and support of many of the Democrats in the Senate and our Senate leadership, CHUCK SCHUMER, along with colleagues in the House, our Congressional Black Caucus, and over 250 partners throughout the two Chambers, introduced the Justice in Policing Act, a bill designed to take concrete steps to bring long overdue, long called for, much needed, real accountability and transparency and oversight to policing in America.

We introduced the bill in the wake of the killing of George Floyd by law enforcement officers in Minneapolis, along with what happened to Breonna Taylor in her home in Louisville, the killings of other Americans, names who are now known for the wretched, awful way in which they died: Eric Garner, Tamir Rice, Michael Brown, and so many others. So many others whose names we do not know are all part of a system that does not reflect our common values and does not reflect the highest ideals of this Nation. In fact, it is just the opposite. It reflects the darkness of our past and our present. It reflects racism and bigotry and not equal justice under the law.

We are at a point in American history that is at a crossroad, where millions of Americans in all 50 States are engaging in some type of action of protest, whether it is on social media platforms or in the middle of a pandemic out in the streets. The question we have right now before us in this body is this: In the face of Americans of all backgrounds, races, religions, and parties who are calling for reform, what will this body do?

A lot of folks want to reduce the approaches that are coming forward as a Republican or Democratic approach. I am telling you right now that this is not a choice between one side of the aisle or another. It is a choice between meaningful reforms in this moment or making symbolic gestures that will do nothing to save people's lives. It is a choice between action and inaction.

The bill we are proposing is not new. These are reforms that have been put in place in some cities and in some States. This is a real effort to hold policing in America accountable for egregious behavior. It will create transparency, as sunlight is the best disinfectant to injustice. It will also bring about an end to policies and practices that should be ended in our country. They have been called for by President Bush in his first address to Congress for an end to racial and religious profiling.

We see, in fact, as to some of the more, so-called, controversial elements of this bill, like qualified immunity, that conservatives and Democrats on both sides of the aisle—folks from the Cato Institute, Clarence Thomas, and you see conservative organization after conservative organization—say the obvious, that no one should be shielded

from accountability when they are violating the civil rights of another American.

We have a bill that calls for change that will protect lives and address the practices that have killed Americans, create accountability and transparency in departments, and make sure that no one in our country is above the law.

This is not a time for half steps and half measures. It is not a time to nibble around the edges. It is not a time to find the lowest common denominator. It is not a time—when so many Americans feel a metaphorical knee on the neck of justice—for us to pull our knee halfway off of that neck and call it progress. No, this is a time for us to do what is right and necessary to end the kind of violence and murder and unaccountability that we see and that is too endemic in our Nation.

This is the truth. The measures in this bill will pass. Congress will one day get this right. I am confident that one day in this country the provisions in the Justice in Policing Act will ban religious and racial profiling. I am confident that one day in this country we will ban choke holds. I am confident that one day in this country we will have a national registry of police misconduct, of police use of force. I am confident that one day no one who murders someone in broad daylight in front of cameras will be shielded from accountability on the Federal level, in our civil courts, or in our criminal courts, by impossible standards to meet. It is clear that one day we shall overcome what is now injustice, that this body will do the right thing.

There will be a time in America when mental health issues will be treated with healthcare and not police and prisons. There will be a time in America that addiction will be treated with treatment and not police and prisons. There will be a time in America that the fragile within our society will not be further hurt and harmed by practices and prisons but will be elevated and cared for. I know this time is coming. But I believe that the time is now, that justice delayed is justice denied. If we do not act and claim this moment, this time, then we, as a country, are going to find ourselves here again.

In my short life, I have seen decades of this. I was born right after the Kerner report calling out these practices and demanding reforms. In that time, I watched Rodney King get beaten and officers who did it be held unaccountable for their actions. This cycle is continuing in our country every day.

There are so many cases that we don't see because we don't have transparency. They explode into the national consciousness when someone catches on videotape what we know is wrong but we have not taken the measures to stop it. Now is the time that we must act and not find ourselves here a month from now, a year from now, 3 years from now, watching this awful cycle play over and over.

Listen to the American people—all 50 States, all backgrounds—joining to-

gether in a course of conviction to put a stop to this nightmare. Now is the time—no half measures, no half steps, no diluted attempts, no fainting toward what should be done but not having the courage to boldly go in the direction that one day this bill will pass. But I believe “one day” should be today. Congress should act.

I am so proud that I am not alone in this position. I am so proud that there are others in this body who are joining with me, with the same sense of urgency to get broad-based reforms done.

I see my colleague from Oregon, one of the many champions for justice in this body. I am grateful now to yield to him.

The PRESIDING OFFICER. The Senator from Oregon is recognized.

Mr. MERKLEY. Madam President, I am honored today to join Senator BOOKER, Senator HARRIS, and so many of my colleagues to work to take this moment of national outcry and turn it into an opportunity, a moment of national action.

For weeks now, in protests across our land, millions of fellow Americans have been rising up and speaking out to demand justice, accountability, opportunity, and, above all, the equality promised by our Founders 244 years ago.

This latest movement may have been sparked by the senseless killing of George Floyd, a Black man, at the hands of public safety officers. One officer, sworn to protect and defend him, knelt on his neck for 9 minutes, extinguishing his life. But this movement is about so much more. The pain and anger and the anguish that have burst forth from the hearts of Black Americans everywhere run far deeper than a single tragedy. It is a pain born of an endless string of tragedies, the senseless killings of Breonna Taylor, Ahmaud Arbery, Eric Garner, Tamir Rice, Sandra Bland, Freddie Gray, Michael Brown, Trayvon Martin, and more—so many more Black men and women who should be alive today—of Rayshard Brooks, shot in the back by a police officer, who died this past Friday night. It is a pain borne even before we were yet a country, when more than 400 years ago, traders kidnapped Africans from their own lands, brought them here to these shores—American shores—sold them, locked them into generations of brutal slavery, treated not as people but as property, chained, sold, whipped, raped, treated as something less than human.

Our Nation has never come to terms with this legacy. There is no memorial on the National Mall. There is no Truth and Reconciliation Commission. So, still today, America's gaping wound of racism bleeds pain and injustice, and inequality continues to plague every system in our country.

Too many Black men and women have lost their livelihoods, their lives, and their dignity to a justice system rigged against them: racial profiling, mandatory minimums, stop and frisk,

acts of racial profiling, and racially driven predatory actions.

We entrust to our public safety officers vast power to serve their communities, but have we ensured that their vast power is exercised equally on behalf of all citizens? We have not.

Too often, forces—public safety forces, police forces—treat White citizens as clients and Black citizens as a threat. That is systemic racism, and it must change. It is why I am so proud to stand here in support of Senator BOOKER's and Senator HARRIS's sweeping Justice in Policing Act reform bill. We need to hold officers accountable for their actions. We need to change the culture of policing in America, and this legislation is the right law at the right moment to begin to do that.

No one should ever be profiled based on the color of their skin. Choke holds, like the one that killed Eric Garner, must be a thing of the past. No-knock warrants, like the one that ended with Breonna Taylor being shot to death in her bed, should no longer exist. Under the Justice in Policing Act, these will be gone.

When a public safety officer misuses the immense power of his or her badge, that misuse must be investigated, must be documented, must be penalized, and the record of that abuse must be public. That is the essence of accountability that goes hand in hand with the responsibility and the power that goes with wearing the badge.

Never again should an officer who has been fired for abusing their power be able to go down the road and be hired by another department and be able to continue abusive practices in a new setting. That is why I have advocated for a national database of police misconduct, to achieve this outcome. And it is why I am so pleased that Senator BOOKER has included such a database in the Justice in Policing Act.

In 1968, the Kerner Commission, which was examining the source of the demonstrations the year before concluded: "Bad policing practices, a flawed justice system, unscrupulous consumer credit practices, poor or inadequate housing, high unemployment, voter suppression, and other culturally embedded forms of racial discrimination all converged to propel violent upheaval on the streets of African-American neighborhoods in Americans cities, north and south, east and west." Doesn't that sound familiar—all too familiar—here, 52 years later, half a century later?

One person testifying at the Commission said: I read the report of the 1919 riot in Chicago, and it is as if I were reading the investigative report on the Harlem riot of 1935, the reporting of the investigating committee of the riot of 1943, the report of the McCone Commission on the Watts riot. I must say in candor to members of this Commission, it is a kind of "Alice in Wonderland," with the same moving picture shown over and over again, the same analysis, the same recommendations, and the same inaction.

That is why I am standing on the floor in support of this act, because inaction is not acceptable. Let the same not be said about this moment years from now.

Today is a moment for a day of action, for greater investments in affordable housing and decent communities and in schools and teachers in minority communities, for greater investments in Black business owners and early education programs like Head Start. It is a time to ensure that every American truly has a right to vote and is free from voter suppression and voter intimidation.

This Friday, our Nation will, once again, recognize and celebrate Juneteenth, the day when slavery officially ended in this country 155 years ago. Let this Juneteenth stand as a day for all of us to reflect on the calls for justice crying out across our land. Now is a time to be agents of change—yes, to listen to the voices of the people, to join with those who have taken to the streets, enduring rubber bullets and the batons and the tear gas, to stand up for what is right. Now is a moment to stand shoulder to shoulder with our fellow Americans who have had enough of the suffering of inequality and of injustice, so together we can help our Nation live up to the ideal of a land where everyone, no matter the color of their skin, is treated with the dignity and the respect and the opportunity and the equality equal to all others.

The PRESIDING OFFICER. The Senator from Virginia is recognized.

Mr. KAINÉ. Madam President, on Saturday, I attended a rally for justice sponsored by two young women—one, a high-schooler and one a middle-schooler—in my hometown. The rally was one of numerous marches and rallies that have occurred every day, sometimes multiple times a day, in Richmond in the weeks after the horrific public murder of George Floyd.

Hundreds of people gathered in the Maggie L. Walker Plaza, a plaza named after a pioneering African-American woman, a business and civil rights leader.

They gathered in the plaza to hear from our city's young people. Many raised their hands when they were asked if they were graduates of this class of 2020, a class whose senior year was upended in mid-March and who face a future that, frankly, seems very, very frightening to many of them.

I attended to listen. I used to be the mayor and Governor—now a Senator—but I attended as a neighbor to listen. I wasn't on the program, and I didn't ask to speak. I wanted to hear how our young people view this moment in time and what they are asking of us.

What I heard in many different ways, from speeches and artistic performances, was no more politics as usual; no more police killings of people of color; no more empty promises of reform after each new policing outrage; no more education system that downplays the reality of injustice in

this country since its birth; no more educational content that also downplays the contributions of African Americans, Indians, Latinos, and others to our Nation; no more veneration of the Confederacy in Richmond, in Virginia, or anywhere else in the United States.

This gathering, this rally, had a lot of police there. The police were there trying to keep the crowd from spilling from the plaza onto the busy Broad Street, where they would have been endangered by passing vehicles. Some of the attendees of the rally advocated to defund the police, but others disagreed. Some asserted "all cops are bad," but others disagreed. The rally was robust, it was raw, it was diverse, and it was respectful. It was the epitome—the absolute epitome—of peacefully assembling to petition government for redress of grievances contemplated by the First Amendment.

Just as my young activists urged in many different ways to end politics as usual, I desperately want to end apathy as usual. Apathy of the citizenry is a chief guarantor of politics as usual. In the tremendous energy demonstrated by these Richmonders and demonstrated on the streets of communities all over this country, I am starting to be hopeful about the end of apathy as usual. These young people, they want action and results, and they deserve it. That is why I am proud to join Senators BOOKER, HARRIS, and many others in supporting the Justice in Policing Act of 2020.

We need to ban choke holds. We need to ban no-knock warrants. We need to ban racial and religious profiling. We need to hold police officers and police departments accountable for violent, reckless behavior. We need to promote better training and professional accreditation of police departments. Why do we demand that universities maintain accreditation to receive Federal funds but make no such demand of law enforcement agencies?

We need to do much more within the criminal justice system—but also within all of our systems—to dismantle the structures of racism that our Federal, State, and local governments carefully erected and maintained over centuries.

We know a little bit about this in Virginia. The first African Americans to the English Colonies came to Point Comfort, VA, in 1619. They were slaves. They had been captured against their will, but they landed in Colonies that didn't have slavery. There were no laws about slavery in the Colonies at that time.

The United States didn't inherit slavery from anybody. We created it. It got created by the Virginia General Assembly and the legislatures of other States. It got created by the court systems in Colonial America in the sense that it enforced fugitive slave laws.

We created it. We created it and maintained it over centuries. In my lifetime, we have finally stopped some of those practices, but we have never



gone back to undo it. Stopping racist practices at year 350 of 400 years but then taking no effort to dismantle them is not the same as truly combating racism.

I am mindful of the challenge laid down by our young people: no more politics as usual.

It is one thing to introduce a bill. We do that all the time here. So often the introduction of the bill is all that occurs—no committee hearing, no committee markup, no committee vote, no floor debate, no floor vote, no signature by a President—merely words on a page and a 1-day story and then, possibly, a blame game about who was at fault for nothing happening.

That has been my biggest disappointment in 7½ years in the Senate. Unlike my service at the State and local levels, where we took action and then engaged in healthy competition about who should get credit, in Congress, it is too often a story of inaction and then an unproductive competition over who should be blamed for nothing getting done: politics as usual.

I pray that the engaged activism of our citizens has brought us to a new moment that will compel us to act in ways, large and small, in accord with the equality ideal that we profess to believe.

This bill is a test of our resolve, and I urge my colleagues to meet the moment so that we can look our young people in their faces and tell them that we truly heard them.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Madam President, it was 2015, shortly after the death of Freddie Gray in police custody in Baltimore, that I was in Sand Town, the community in which Freddie Gray grew up, meeting with community leaders, many of whom I had known for many, many years.

We had an honest discussion about how policing in Baltimore had unfolded. I was surprised to hear that these community leaders who wanted safety in their community felt that they could not confide with the police because they did not want people from their communities subjected to the discriminatory policing of the Baltimore City police force.

I had another meeting during that time with a group of African-American families. Everyone told me the story about how they feared particularly when their young African-American sons went into the community because of the fear that they would be discriminated against and hurt by the police. That fear was real.

As a result of the Freddie Gray tragedy, we requested a pattern-and-practice investigation by the Department of Justice, and what was discovered during that investigation was that the policies of the Baltimore City Police Department's zero tolerance to crack down on crime were used to profile the African-American community. In many

cases, the police presence in the community provoked the violence and added to the harm of the people in the community.

I wanted to take this opportunity to thank Senator BOOKER and Senator HARRIS for putting together a bill that we need to take up on the floor of the Senate as quickly as possible: the Justice in Policing Act. It contains many provisions that, quite frankly, should have been enacted well before now.

The tragic deaths of George Floyd and Rayshard Brooks just underscore the importance for us to act now. We need to debate these issues, and we need to pass legislation.

I am grateful for Senator BOOKER including two provisions that I had filed as legislation in several Congresses. One is the End Racial and Religious Profiling Act, a bill I filed a while ago.

I think many of us remember the Trayvon Martin tragic loss, profiled because of the color of his skin. Racial or religious profiling targets a class of Americans for discriminatory treatment. It is not when you have individual information about a specific crime and indicators; it is when you target a community for special treatment.

It is wrong. It is wrong because it is against the values of America of equality and justice. It is wrong because it wastes resources which are so valuable to keep our communities safe. It is wrong because it turns communities against police. If we are going to have effective law enforcement, the community and police need to work together, not at odds. It is wrong because it becomes deadly. Too many innocent people have lost their lives because of discriminatory profiling. It is time for this practice to end in America.

I want to applaud the Obama administration because they took action at the Federal law enforcement level to make racial profiling illegal, but it still takes place in local law enforcement. The legislation included in the Justice in Policing Act would make that illegal. It would prohibit it, and it provides for ways to enforce, to make sure that police departments comply with it.

It also provides for training so law enforcement understands what racial profiling is all about. It also provides for us to get the data so we know exactly what is happening at all levels of policing, whether State, local, or auxiliary.

The Leadership Conference on Civil and Human Rights testified on the issue of discriminatory profiling last week, and I want to share some of the testimony of Vanita Gupta. She testified:

The equal treatment of all people, regardless of background, class, or characteristic, protects and preserves public safety and builds legitimacy in police. Discriminatory policing, which targets people of color more often than others, has serious consequences not only for individuals and communities but also for law enforcement and society, by fostering distrust in law enforcement. . . .

Through policy, training, and practice, law enforcement agencies can work to prevent and hold officers accountable for discriminatory policing, and reduce and mitigate its disparate impact on marginal communities.

I want to thank her for her testimony, and I want to thank Senator BOOKER for including those provisions that would end this practice in the Justice in Policing Act.

There is a second bill that I have introduced for several Congresses: the Law Enforcement Trust and Integrity Act. It provides for performance-based standards for police officers. It embraces accreditation standards based upon President Obama's Task Force on 21st Century Policing. It does provide for training and oversight and proper investigations for those police officers who have crossed the line. It enhanced the pattern-and-practice discrimination cases so that consent decrees can be effective in ending these wrong practices.

I am pleased that these two provisions are included in the Justice in Policing Act, as well as so many other important changes for reform and accountability in law enforcement: the no-knock warrants, the standard that we hold officers accountable who have lost the trust of the American people, the registry so that law enforcement can know by background checks whether particular applicants have been involved in instances in other jurisdictions.

All these are very, very important provisions that we need to act on and we need to act on now. Let us work together to guarantee equal justice under law and fulfill the promise of our Constitution in order to form a more perfect union, establish justice, and ensure domestic tranquility.

Let this Nation finally guarantee equal justice under the law.

I yield the floor.

Mr. BOOKER. Madam President, before the good Senator from Illinois speaks, I just want to, if I may, express my gratitude to the two colleagues who just spoke. The Senator from Virginia, who has been a champion on these issues when he was a Governor and now as a U.S. Senator, has been in the Senate much longer than I have. I have a lot of love for the history that he knows of his own State and the fact that he knows that that history of injustice has to be confronted.

My mom did sit-in events in Charlottesville, VA, when she lived in DC, where I was born, and she went out to help integrate lunch counters in his great State. The fact that he is on this bill and he is a leader on these issues is extraordinary to me at this important time—and doing it in such a unifying way. I am grateful for that.

I wanted to just say to the Senator from Maryland, I am newer to the Senate, and he has components of his bill that, after challenges in Baltimore with Freddie Gray, he helped to lead and write. It is not a partisan thing that he is calling for. There have been

many Republicans who have come out and say this idea that you will profile people because of their race or religion is anathema to the very ideals of the Constitution. It is so obvious on its face.

I have seen polling where upwards of 90 percent of Republicans agree that we should not have people profiled based upon their race or religion, and that is one of the ideals of this bill, if you look at the common views of this; yet he has been fighting for this for years. I am grateful to have him as a part of it.

I just want to say, as an introduction, on the Senate floor and for the record, to Senator DURBIN, who has been a partner of mine on criminal justice reform: This whole system of policing and prisons and jails which has swept up millions of Americans and their families and their children is despicable, that we are the land of the free and incarcerate so many people.

His work on crack cocaine/powder cocaine disparities before I even came to the Senate has helped to lead to the liberation of so many African Americans, so I am grateful that he, too, is on this bill.

With that, I yield to the Senator from Illinois.

The PRESIDING OFFICER. The Democratic whip is recognized.

Mr. DURBIN. Madam President, I thank the Senator from New Jersey.

During the course of one of his political campaigns, Abraham Lincoln's opponent said to him: You have switched your position. You have reversed your position on an issue. You have changed on an issue.

Abraham Lincoln said: It is true. You see, I would rather be right some of the time than wrong all of the time.

Well, I learned that lesson, as many of us have who have served in Congress, when you vote for a measure and, many years later, have to reflect on whether it was the right vote. I voted for something called the War on Drugs. It seemed like a sensible thing to do, and many joined me: Black and White Members of the House of Representatives. It was after the death of Len Bias, the Maryland basketball star who overdosed.

In the moment of panic over crack cocaine, we did something which was going to just make a very clear public statement. The penalty for crack cocaine was going to be 100 times the penalty for powder cocaine—100 times. We were going to let America know: Don't mess with crack cocaine.

What a colossal failure it turned out to be. The price of crack cocaine on the street went down instead of up; the number of users on the street went up instead of down; and we filled the prisons of America, over the next 10 years, to a level we had never seen before, primarily with African Americans who had been convicted of possessing and selling crack cocaine.

I realized, as I am sure many others did too, that it was a big mistake. It was an experiment that failed at the

expense of many people and their families and their lives. So 10 years ago, I started out to try to change it. The 100-to-1 standard, in my mind, was indefensible. It didn't work, No. 1. No. 2, there was no scientific evidence that crack cocaine was that much more dangerous than powder cocaine.

So I set out to make it 1 to 1, where it should be. I ran into an adversary by the name of Senator Sessions from Alabama. He didn't like the idea very much of my change. After long negotiations, we agreed to drop the standard to 18 to 1. I can't tell you the wisdom behind the number 18, but it was a compromised number.

It changed a lot of things. Thousands of people in prison were able to leave early, and many had their sentences reduced. But it wasn't enough. We needed to go further. It was clear, when it came to mandatory minimums and "Three Strikes, You're Out" and all of the things that led to imprisonments—which were almost impossible to describe—we needed another bill.

I joined with Senator MIKE LEE, a very conservative Republican in the Senate, and we moved forward with the legislation. Others joined us as well, but we were stopped by one man who happened to be the chairman of the Senate Judiciary Committee, CHUCK GRASSLEY. Senator GRASSLEY said: I don't like this bill.

He came to the floor many times and gave speeches against the bill. So it became obvious to me, if anything was going to happen, I needed to win over CHUCK GRASSLEY. So I sat down with him and—literally for 1 whole year—negotiated changes in the bill, things that I didn't want to give up but were part of the process to move us forward.

We came up with the FIRST STEP Act, and he, proudly, was the lead sponsor on it, and I was his cosponsor—happy to be. Then we found an ally in the White House, Jared Kushner, who is open about the fact that his father spent time in prison and who believed in reform.

We put together the FIRST STEP Act. One of the first people I went to was CORY BOOKER, then a new Senator from New Jersey, and said: I want you to support this bill. Read it, and tell me if you can.

He came back to me with several proposals. One of them was the incarceration of juveniles that you wanted to make sure would be changed in America—and several other worthy suggestions we incorporated in the bill. And he became part of the team. The team was ultimately successful when, to the surprise of everyone in Washington, President Trump signed the FIRST STEP Act into law.

So those who are skeptical that what we are about here cannot result in legislation have ignored the obvious—something that occurred in the last year or two with this White House, with this President, and with a Republican majority in the Senate. We did something significant, and we can do it again, and we should.

What we are talking about now with Justice in Policing is so obvious to the world. What has brought us to this point of this debate? I think two things have brought us here, and maybe we didn't see it coming: videotapes and DNA. That is what brought us here. It is no longer speculation as to what happened in a parking lot. It is no longer conjecture as to what happened at the side of a curb in Minneapolis. We see it. We see it, and we can't get the images out of our mind.

A knee on the neck for 8 minutes 46 seconds. Just in case that sounds like a short period of time, try kneeling, as Senator KAINE did in our moment of silence in the auditorium just a few weeks ago. Try imagining someone's knee on your neck for 8 minutes 46 seconds. George Floyd lost his life in that period of time.

I think the image that sticks with me is not only that man on the ground begging for his life but the image of the policeman who was being implored and begged by all the people around: Take your knee off. Let him breathe. And he just looked with those cold, hard eyes as he took the life out of that man. That image is something I will carry for the rest of my service in life, as are the images from the Wendy's parking lot in Atlanta, GA.

All of these things have brought us to the moment where we realize something must be done.

I listened, Senator KAINE, when he talked about the rally he attended in Richmond over the weekend. What a coincidence that he would talk about the young people who organized it. In my home State, I have been to several rallies in the city of Chicago held by leaders in the community, religious and otherwise, but the meetings that I attended that had the most impact on me have been organized by high school students.

In my hometown of Springfield, Nykeyla Henderson is a junior in high school. She is a tall young woman, kind of rangy, and doesn't look like the type of person who would ever speak up for anything. But she and her twin sister, Nykia, decided to put together a rally at the State capitol 2 weeks ago in Springfield. Fifteen hundred people showed up. No windows were broken. No curses were thrown around. Nobody was throwing anything. They made it clear that it was going to be a peaceful rally and all about Black Lives Matter.

I told her later that it is an amazing achievement at her stage in life that she were able to do this. How unusual it was that a young woman—a young African-American woman—took on this role of leadership with others.

This last Sunday, I went to Jerseyville, IL. I was telling Senator BOOKER about this. I don't know if there are many, if any, Black families in Jersey County. I represented this area for a long time, and I don't remember any. They had a rally on the lawn next to the courthouse at 4 p.m., Sunday afternoon. I went down there



because of another African-American high school young woman named Lay'Lhany Davis. Lay'Lhany goes to high school about 20 miles away in Alden. She called for a Black Lives Matter rally in Jersey and asked if I would come. I said I wouldn't miss it. She had done the same thing in Edwardsville, another small town. They had a rally, and when they started cruising with banners supporting political candidates and all the derision they were throwing at her, she said to these people: We are not going to be like that. We are not going to do that. This is going to be peaceful.

I respect her very much for it.

Here are these two 16-, 17-year-old young African-American women who are true leaders and inspiring in their humility. They are not looking for a headline. They wouldn't know what to do with it. They are wide-eyed at the number of people who are showing up. The people who show up, by and large, are young people. White, Black, Brown people come there begging for freedom and liberty and hoping that we can do something in Washington. And why shouldn't we? The reason we ran for these offices is to address the issues of the day in our time, to take on the tough chores of finding compromise when it looks like it is impossible. I think we can do this, and I know that we must.

I want to recount one other thing before I yield the floor. I see others arriving here. It was 10 days ago when I asked the African-American members of my staff to get on a conference call. We spend a lot of time on conference calls. There were quite a few on the call, and I started talking about their experiences. They were a little reluctant to volunteer much. Then the dam broke, and one of them said something that led another one to say something. It turned out to be one of the best conversations I have ever had with my staff. They told me some things that I needed to hear because listening is sometimes more important for a Senator than speaking, although I do a lot of speaking.

I can recall so many of them described for me the very first time—and they remember it, and they remember who said it—they were called the N-word. They remember it. Each went through that experience on the playground or in a school. I am thinking to myself that I never had an experience in my life that was that profound that I remember it to this moment of someone using a word against me.

Another young woman talked about the fact her mother sat her down at a young age and said: Listen to me. When you go to the store to buy something, always ask for a receipt. Always ask for a receipt. You put that receipt in that bag because somebody is going to stop you at the door and say you stole it, and you can show them you paid for it because you have the receipt.

I thought, my mother never gave me that lesson. She never had to. I will

never be stopped at the door. I am White. This young woman was Black.

Time and again, the stories they told reminded me that the issue of racism is one we have faced in this country, as you said, for over 400 years—when slavery came to our shores, before we were known as the United States of America, to this day. The greed and racism behind slavery still challenge us to this moment.

Can we come up with an approach that is sensible? I hope we can. When you look at the history of Reconstruction, the Black codes, Jim Crow, the Great Migration, and everything that followed, you realize that we are still in the midst of this debate. We are as drawn to it as any moment in American history, and we have to face it and face it squarely and honestly. I think we can, and I think we must.

Let me say one word about the anti-lynching law. I read about the history of the anti-lynching law in the U.S. Congress. I am sure Senator BOOKER knows it well. A Congressman from Missouri, Leonitis Dyer, was not African American. He was a White Congressman, a veteran of World War I, an attorney from St. Louis, and a former prosecutor who was outraged by the East St. Louis race riots. East St. Louis is my hometown, born and raised across the river. He was outraged by the race riots there and people killed. He introduced the anti-lynching laws. He got it through the House, and it came over here and died in the Senate. That measure has languished in this Chamber ever since.

I thought to myself, lynching is a terrible, Southern phenomena. Boy, am I wrong. I did a little research and studied the history over the weekend. I was saddened to learn that in my home county, St. Clair County, on the Belleville Square, an African American was lynched. Another African American was lynched in Decatur, IL, a town in Central Illinois I represented for years. Sadly, other lynchings took place in parts of Illinois that you might not have guessed.

I learned the history of Anna, IL. I won't say it on the floor because I don't want to put it in the RECORD. Unfortunately, the name "Anna" has some racial connotations to it, which I will share privately with others. There was a lynching based on a person living in Anna who was lynched in Carroll, IL. This happened in the land of Lincoln. It happened in the North. It happened in my home State that I love. It is a reminder that hatred can be found everywhere.

It is our job here with this bill to move forward and say to the good police: Thank you for serving us. Now join us in making sure we don't have bad police. In your ranks, you know the people who cannot be trusted with their badge and gun to use them responsibly. You know the people who shouldn't be policemen. Join us in making sure your ranks show real quality in the recruitment, in the

training, and in the review of performance of all those who are serving in law enforcement.

We need to do so much more. I am sure there is much more to be said. I want to thank my colleagues, Senators BOOKER and HARRIS, for bringing us to this moment. This is our moment.

I beg TIM SCOTT, whom I dearly love as a colleague and a person, to join us in a bipartisan effort to do something historic at this moment.

Don't believe we can't do it. Believe we can do the right thing that will stand the test of time.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. VAN HOLLEN. Madam President, I want to begin where my colleague, the Senator from Illinois, left off, which is thanking Senator BOOKER, the Senator from New Jersey, Senator HARRIS, CBC, and the people protesting around this country for bringing us to this floor at this moment to demand urgent change.

I am pleased to be joined by my colleague from the State of Maryland, Senator CARDIN, from across the Potomac River, Senator KAIN, and, of course, Senator DURBIN from Illinois. We are here because, like those millions of Americans taking to the streets around the country, we understand that this is a moment when we must turn the pain into progress. We must transform the pain of George Floyd's death and the unjust deaths of so many other Black Americans into deep and lasting change. We must bring the passionate pleas of the protesters across the Nation to the floor of the Senate to take action to root out systemic racism in all its ugly forms.

This is a deeply ingrained problem, and it is clear that tinkering around the edges is not enough. Systems embedded with racism need to be overhauled. The State in the form of the police cannot be allowed to continue unjustly taking the lives and liberty of Black men and women. We must change the nature of policing. We need to change the culture.

Here in the Senate, we must change laws to compel changes in culture. Let us remember that the police as an institution are a reflection of the greater society, and we have an obligation to change all those institutions where we find ingrained racist practices, everywhere we find it, since the Nation stood horrified by the video of George Floyd gasping for breath, crying out "I can't breathe" as his life was snuffed out of him with a knee to his neck.

Other Black men have senselessly died at the hands of police.

By now, we probably have all seen the video of Rayshard Brooks. He fell asleep in his car after drinking. He was then interviewed by police for over 20 minutes. If you haven't watched that encounter, I urge you to do so because after that 20-minute conversation, he ended up dead with two bullets in his back. That encounter should never have ended that way.

Not far from here, in Woodstock, VA, we had another recent encounter that did not end in violence but exposed some of the racist assumptions that are too often wired into police responses and into societal responses. A Black pastor and Air Force veteran saw a man and woman disposing of an old refrigerator on his property. He told them to stop. The two were upset that the pastor would not let them dump this refrigerator on his property, and they grew irate. They went away, and they came back with three others. Then these five White people surrounded the pastor, began jostling him, taunting him, calling him names, and saying they didn't give a darn about his life and the Black Lives Matter stuff.

In defense, he drew a gun, which he legally carried. He called 9-1-1 to get the police to come. The police did come. They arrested and handcuffed the Black pastor while the five White people continued to threaten him and wave as the police took him away.

The sheriff in Woodstock has apologized, and the proper charges, including hate crime charges, have been filed against those who trespassed and harassed the pastor, but that initial response tells you what you need to know.

Those are the kinds of encounters that Black men and women face everywhere in this country on a regular basis—North, South, East, and West.

It reflects the same impulse of the woman in Central Park, NY, who was asked by a Black man and birdwatcher enthusiast to obey the law and leash her dog. Instead, she called the police on him to tell them that an African American was threatening her life. She was exploiting the fact that she would likely be believed.

It is same ingrained and racist impulses that resulted in five Black youth—now known as the exonerated five but who were locked up and spent years and years in prison after being falsely accused of a brutal assault in that same Central Park in New York.

It is the same racist narrative of one of the first American films, "The Birth of a Nation," showed by Woodrow Wilson in the White House.

You can draw a straight line from slavery to Jim Crow, legal segregation, de facto segregation, and institutionalized racism to the deaths of George Floyd and so many other Black Americans.

Tinkering with the system will not be enough. Calling for more data and transparency is necessary, but it will not be enough. We have to take up and pass the Justice in Policing Act.

I want to thank Senators BOOKER and HARRIS and the Congressional Black Caucus for leading this legislative effort.

The Supreme Court yesterday had an opportunity to take up and change the doctrine of qualified immunity. They chose not to. Qualified immunity has allowed police and other State officials

to act with impunity. There must be consequences for unjustly depriving citizens of life and liberty. The changes called for in the Justice in Policing Act are necessary to protect individuals, to protect communities, and to protect all those police officers who uphold their oath to protect the communities they serve.

The police are the agents of the State. Holding police accountable and requiring justice in policing is just the first step. We must also confront the other manifestations of systemic racism and the institutions and societal norms that allow them to continue. We must dismantle them with the same deliberate actions that ingrain them in the first place.

Tinkering with the system will not be enough. We need dramatic reforms in our criminal justice system. We have less than 5 percent of the world's population but 20 percent of its prison population—something that the Senator from New Jersey has spoken about often, as have my colleagues. We need to change that. That is a stain on our country. We need to get rid of the private prison system that gives some corporations a financial incentive to propagate a system that locks so many people up, but we need many other changes as well.

We know that COVID-19 has disproportionately killed people of color. We must address the underlying health disparities that lead to radically different outcomes for the Black community from COVID-19 to maternal mortality.

President Trump celebrated the fact that the May unemployment rate was 15 percent. That is nothing in and of itself to celebrate. It means millions and millions of Americans are out of work through no fault of their own. But he neglected to mention that the Black unemployment rate went up in that May report because we have deep inequities from our systems of income and wealth.

We have deep inequalities in our school systems. Title I is persistently underfunded by over \$30 billion every year. Think about the \$2.1 trillion we are spending to help keep the economy from going underwater in this short period of time. My goodness, we could spend \$300 billion over 10 years to fully fund title I.

We are seeing continued discrimination in housing and the Department of Housing and Urban Development has to make efforts to advance fairness.

We have a lot of work to do in this country. We have a lot of work to do in the Senate.

This is a moment of reckoning for this country—another one. This time, let's not allow it to pass and let's start—let's start—right now by taking up and passing the Justice in Policing Act. But that is just a start. We have so much more work to do to build a truly more perfect union and to live up to the promise of equal rights and equal justice and equal opportunity

and really ensure that we have equal justice under law, which of course is enshrined above the Supreme Court of the United States.

Let's get to work. Let's do it now.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Madam President, I come to the floor today because it is time to end systemic racism with systemic change. So I am calling on my colleagues to work with us to immediately bring the Justice in Policing Act to the floor.

I thank Senator BOOKER, who is here with us today, and Senator HARRIS for their work on this bill, as well as the House Members who are leading in the other Chamber. We must pass this bill, and we should do it immediately with bipartisan support.

George Floyd should be alive today, but he isn't. He was murdered in my State. He was murdered in my city. He was murdered on videotape so the whole world could see it. The whole world saw as his life evaporated before our eyes.

Our Nation has been left in pain, grieving, marching, and demanding justice. His murder has galvanized a nationwide movement for justice, both for George Floyd and for the Black community and communities of color across America that have experienced injustice for far too long—not just injustice at the hands of the police, but also economic injustice, educational injustice. And, if anything, these last few months of this pandemic have shed a big magnifying glass and put it on top of what has been happening for way too long.

As we grieve this loss, we have work to do in our own States, and that is justice in this particular case, including accountability for the officers involved. Minnesota Attorney General Keith Ellison, whom I have known for many, many years—I am very sure that he will have full faith and has forever in his conviction for justice, and he is pursuing this case against the officers.

But as lawmakers, we must also make systemic change. We cannot answer our Nation's calls for justice with silence. That would make us complicit. We cannot answer with what the President called domination. That would make us monsters. We must answer with action. That is what makes us lawmakers.

Since I have come to the Senate 13 years ago, I have watched as change has come inch by inch. I see Senator DURBIN with us today, who led the effort on changing the disparity on crack cocaine. I was a new member of the Judiciary Committee when he led that work. I see Senator BOOKER here. Both of them, as well as a number of us, worked on the FIRST STEP Act. That was really important to reduce sentencing for nonviolent offenders. But, again, it is inch by inch. We must move by miles.

There is systemic racism at every level of our justice system, and it has

taken far too long to right these wrongs. And it is on us in Congress, especially on those of us who have worked in this system—mayors, prosecutors, attorneys general. Those of us who have seen what is happening have a special obligation to make this change.

We took an oath as Senators. We didn't wave a Bible in the air for a photo op. We placed our hand on that Bible and swore to support and defend the Constitution against all enemies, foreign and domestic. That enemy we face right now is racism; it is injustice.

This is not a time for half measures and equivocation. It is a time for real change and swift action, including holding police officers accountable for misconduct and violence, changing police practices, and making our justice system more transparent.

There are a lot of good police officers out there—a lot of good police officers—but they are brought down, just as our entire community is, when you have someone like Derek Chauvin commit the murder that he did. When they watch the videotape, they feel like we feel. And that is why this bill is so important—the Justice in Policing Act.

This comprehensive legislation changes Federal law so that officers can be held accountable for misconduct and increases that transparency and improves police training.

First, on accountability, the Justice in Policing Act will hold officers accountable for misconduct and violence by changing the Federal use-of-force standard from reasonable to necessary so that force is only used when necessary to prevent death or serious injury, and it requires States to adopt similar stands if they want to receive certain Federal funding.

Changing the standard is not just some little legalese word that makes a change. It will save lives.

When these changes have been adopted at the local level, there has been a significant drop in the use of force. These words can be the difference between whether a prosecutor can prove a case against a police officer or not.

People ask what has happened around the country with some of these cases—some of these blatant things that people recently have seen on videotape.

In my State, Philando Castile, who was in a neighboring jurisdiction to Minneapolis—look at what these standards are. Lawmakers have control over these standards. Even when a case like that was prosecuted with excellent prosecutors, who did their all, they were not able to get a guilty verdict. Look at the standards.

In addition to improving the way that individual officers are held accountable for misconduct, the bill holds police departments accountable, because we know that there are systematic changes that are needed at police departments.

I have called on the Department of Justice, along with 26 of my colleagues,

to conduct a full-scale investigation into the patterns and practices of the Minneapolis Police Department. We have waited weeks for a response.

Under the Obama administration, 25 of these pattern and practice investigations were brought. Under the Trump Justice Department, just one unit of one department in Springfield, MA, was examined.

Now, just as I headed to the floor here, we got a letter from the Justice Department, but they did not commit to this investigation. They said they were going to continue to look at the evidence.

Meanwhile, the Governor of Minnesota and the State human rights department has had to fill in. They are conducting their own investigation, and I have faith that they will do the right thing. But, again, this should be coming from the Justice Department.

We know that Minnesota is not the only State whose recent events have shown us misconduct from the police and that have experienced a pattern and practice that need to be examined. But, again, we wait that investigation from the Department of Justice.

After what we saw on the video, is it not warranted in this case to have such an investigation? I would ask the Justice Department under Donald Trump and under William Barr: What facts would warrant an investigation if not these?

In addition to improving the tools to hold police accountable, we also need to ensure that there is transparency so we can once again build trust with our communities. What does this mean? Well, it means that we have officers that actually get in trouble in one department and then they go to another department and no one even knows what happens. It means that the public does not have access to information about serious issues of misconduct that are held tightly within city departments and city archives in some place, when in fact it is a matter of life and death for the people of this country.

And, of course, we need wholesale changes to the way policing happens. I worked with Senators SMITH and GILLIBRAND to include provisions in the bill to require States to ban the use of choke holds in policing to receive certain Federal funding and to ban them overall.

This would be an important change that actually would help with prosecutions across the country, if this practice was actually banned.

George Floyd's murder, at the hands of police officers, was horrific and inhumane and, sadly, as we know, not the first or last time a Black man was taken too soon by those in uniform. We must stop this cycle of violence to get something done.

We have an opportunity to make real change here, and if Leader MCCONNELL refuses to bring this bill to the floor, he and his colleagues who support him are on the wrong side of history.

In the words of George Floyd's family, whom I had the honor to speak

with, "We will demand and ultimately force lasting change by shining a light on this and by winning justice."

I will conclude with this. A few years ago, like so many of my colleagues, I went to Selma, AL, with Representative JOHN LEWIS. 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 always do better.

That weekend, after 48 years, the White police chief of Montgomery handed his police badge to Congressman LEWIS, and he publicly apologized on behalf of police for not protecting Congressman LEWIS and the Freedom Marchers 48 years before.

I don't want it to take another 48 years for my city to heal. I don't want it to take another 48 years for my State to heal or for this country to heal or for our Nation to fix a justice system that has been broken since it was built. I want justice now. The voices you hear from across the country—they want justice now.

It is time we delivered, and not just in platitudes. It is time we acted, and not just talk about acting. This is our moment. This is history. So let's make history.

I yield the floor.

The PRESIDING OFFICER (Mr. CRUZ). The Senator from Wyoming.

Mr. BARRASSO. Mr. President, I come to the floor today to discuss the Senate plan for justice reform.

First, it is important to note that justice will not come from any community with lawlessness. It will not come from any community with a disregard for law and order. It will not come from any community with radical cuts in police budgets in cities like New York and Los Angeles. It will not come from any community that defunds the police.

These are not the solutions that Americans are seeking. Yet I see headlines from around the country with pictures of those demonstrating and applauding Democrat politicians who are calling for defunding of the police—the Democrat politicians who are demanding not just defunding but also dismantling the police in their own communities.

That will not work. That will not work, and the American people see it and they know it. In fact, a new ABC poll finds that 64 percent of Americans oppose these dangerous, liberal ideas like defunding the police, and 60 percent oppose police department budget cuts.

Liberal leaders, meanwhile—look, they have let anarchists occupy part of Seattle. You turn on the TV, and you can see what is happening there. They have actually burned down a police precinct.

They called this area CHAZ—C-H-A-Z—the Capitol Hill Autonomous Zone. Can you imagine such a thing? Well, now they have renamed it to CHOP, which stands for the Capitol Hill Occupied Protest. Whatever they want to

call it, to me and to Americans all across the country, it is still criminal lawlessness.

Democrats and Republicans need to stand up to these dangerous radicals. We must never defund or disband the police—never. Defunding police departments is a dangerous idea. Violent crime will spike. Call 911, and no one will be there to respond to your emergency.

I believe that rather than defund, we must defend the police as appropriate and make sure that we invest more in law enforcement, not less. We need to improve police training, accountability, transparency, recruiting, and community engagement, and that is what the Republican bill does.

House Democrats have written a very partisan bill, aimed at making over and taking over—not just making over but also taking over—policing in America. The Democrats' plan would nationalize the police—nationalize it—18,000 police units and 800,000 police officers—nationalize the police and, of course, without adequate funding.

The truth is that the House isn't even in session. Their plan was written in secret. House Democrats didn't consult Republicans and, apparently, didn't even consult a number of their own Members. They didn't plan to debate the bill and don't plan to debate it for a couple of weeks.

As you know, Republicans, on the other hand, have been working and listening, and we are leading. Our effort, of course, is led by Senator TIM SCOTT of South Carolina. We have developed what I believe is a smart plan and a workable solution. The bill is called the JUSTICE Act. It is written to garner bipartisan support, and I hope some of our colleagues on the other side of the aisle will join in this effort.

This is a sensible measure that will make bipartisan justice reform a reality that we need. It is not a political exercise. It is practical legislation, and it deserves to become law. So I hope Democrats will join in the effort.

The JUSTICE Act includes a number of very important reforms. It provides for every police officer in the country to use body cameras to curb the unnecessary use of force. I will tell you that I believe that body cameras have made a difference in changing the hearts of Americans all across the country.

It requires States that receive Federal grants to report details of all uses of force causing death or serious injury. For the first time, we will have real, actionable data.

It promotes greater access to officer employment records to improve hiring practices. This prevents bad officers from moving from one department to another.

It provides funds to help police departments recruit and hire officer candidates that better reflect the diversity of the communities in which they serve.

It requires higher standards for police to obtain and use no-knock search

warrants. These warrants will allow officers to enter homes without announcing their presence.

Our bill creates two commissions to report back to Congress. A new commission on civil rights will study and report on ways to address issues affecting Black men and boys, and a criminal justice commission, modeled on the 9/11 Commission, will recommend criminal justice reforms.

Now, the Senate has already passed this commission, and we have done it unanimously. We sent it to the House and they have failed to act.

Our bill also requires police training on deescalation tactics and alternatives to the use of force.

I believe the JUSTICE Act is important legislation. I would like to see it on the floor in the very near future.

Still, there are limits to Federal action. Law enforcement is governed by State laws and is largely managed by local officials. State and local leaders must step up and do their part.

With the JUSTICE Act, we have taken an essential step forward in what we all realize is a necessary process.

So I urge all my colleagues—on both sides of the aisle—to support this plan for necessary justice reform.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. CORNYN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. CORNYN. Mr. President, I ask unanimous consent to complete my remarks before the lunch recess.

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

Mr. CORNYN. Mr. President, as the Nation discusses the need for police reforms, our work in the Senate to deliver those reforms is ramping up. This afternoon, the Judiciary Committee, on which the Presiding Officer and I serve, will be holding a hearing to examine the use of force and community relations.

I am glad that our witnesses include two outstanding Texas witnesses—Erin Nealy Cox, the U.S. Attorney of the Northern District of Texas, and Chief Art Acevedo, Chief of the Houston Police Department and also the chair of the Major Cities Chiefs Association. I know they will be able to help shed some light on the changes that need to be made to restore trust between officers and the communities they serve, and I appreciate their willingness to share their perspectives with us.

It is important, I believe, for us to hear from a variety of sources as we debate what those potential reforms might look like: those who represent law enforcement, community and faith-based organizations, and the men and women who get up every day and put on the uniform to protect us by

serving in law enforcement agencies. We need to hear from all of them.

In recent weeks, African Americans across the country have shared their experiences with law enforcement—stories we have heard of being profiled, discriminated against, targeted, and having a negative perception of law enforcement that even in dangerous situations they are afraid to call the police. Really, the way it was described in a meeting I had on Friday in Dallas by Chief Hall and Sheriff Brown is that they called it a wedge between law enforcement and some minority communities for lack of trust. John Crusoe, the district attorney, said because of the number of offenses for which minorities are arrested and prosecuted, it seemed to be disproportionate. They have the impression that somehow they are being targeted unfairly. We know that even our friend, TIM SCOTT, an African-American Senator, has said he knows what it is like to be driving while Black and to be stopped, where somebody who looks like me would not be stopped by the police.

We need to work our way through this. We know that Black parents have spoken openly about their concerns for their own sons and daughters and that lessons that they have given them of what they should do if pulled over by the police: turning off the car, rolling down the windows, placing their hands on the dashboard, and explaining what they are doing before reaching in their pocket for their driver's license.

Well, the lack of trust between law enforcement and our communities isn't unfounded, but it is unsustainable. In order for every American to not only be safe but feel safe, we need to enact long overdue reforms to our Nation's police departments. Mostly, these are not prescriptive in nature. These are in the realm of being an assistance to our law enforcement officials and not somehow assuming, as some do, that racial discrimination is rampant among law enforcement. I don't believe that. I don't believe that there is systemic racial discrimination in our law enforcement officers where they target minorities. I just don't believe that.

I do believe there are some bad actors who abuse their power and violate even the status of their own police department. And, unfortunately, in the example of the officer who had his knee on the neck of George Floyd, we know that there have been 17 separate complaints made against him in their internal affairs division there, but, apparently, neither the police department nor the city leadership—the mayor and city council—did anything about it, or if they did, we have not yet learned about it.

Well, we know that Senator SCOTT has been leading the effort in our conference to try to come up with a reasonable package of legislative responses, and it is really kind of surprising to me to see the overlap between the political parties and also our colleagues in the House.

Now, there are some things that I don't think we should do. For example, there are some who call for reforming qualified immunity, a judicial doctrine that protects the discretionary acts of a government employee or government official and holds them financially responsible only if they violate an established standard. Well, the same legal doctrine that protects police officers protects school teachers as well, and I will bet that a number of our colleagues who are calling for wholesale reform of qualified immunity didn't even know that.

Well, as I said, it is important that we hear from a variety of voices, and that is why I appreciate Mayor Johnson in Dallas hosting a roundtable with a group of law enforcement leaders and faith leaders who are committed to delivering real change. I spent a few minutes talking about what we are doing here in Washington, but I spent most of my time listening. I think that is something we need to do more of—to listen. We are all pretty good at talking, but we need to do more listening.

Everyone agrees that there is a problem—a big one—that will not go away if we ignore it. As the mayor acknowledged, the fact that everyone agrees that the status quo is not sustainable represents progress in and of itself. That is the first step toward solving a problem—recognizing that you have one. But now it is time to turn that consensus into collective action.

We know that many of the changes that need to be made will happen at the local and State level. At the U.S. Congress, we have a Capitol Police, but we don't control what happens in the Minneapolis Police Department or the Dallas Police Department or San Antonio or any other locally run and controlled law enforcement agency. We know that they are not all the same. Most major law enforcement agencies, like the one in Dallas, have deescalation training. It has been mandatory for years.

So when people talk about doing that and mandating it here from Washington, the fact is that most of our major law enforcement agencies are already doing a lot of these things, like banning choke holds, for example. One of the participants in our roundtable was Frederick Frazier, a longtime law enforcement officer who actually trains officers in deescalation.

More recently, the Dallas Police Department banned choke holds, as I mentioned, and any use of force intended to restrict a person's airways. They have also embraced a policy requiring officers to intervene in a situation where use of force is unnecessary and inappropriate. For example, if a law enforcement officer sees another officer use excessive force or dealing with that use of force inappropriately, the Dallas Police Department requires the other officers who witnessed that to intervene—something we did not see happen in Minneapolis.

During our discussion, Chief Hall also discussed steps they are taking to re-

lease body camera or dash camera footage and overall increased transparency. Similar changes are being made in cities across Texas and across the country, and I think transparency is an important area where changes can and should occur. A one-size-fits-all Federal approach to policing would be, I think, a mistake.

But here in Washington, we do have a role to play. We have both the opportunity and the responsibility to ensure that America's police departments are helping public safety and are not considered to be a threat by the communities they serve. The bill being led by Senator SCOTT would take major steps in the right direction. While the final details are being ironed out, our discussions have included a range of proposals that would address everything from training to transparency, to minority hiring.

I am not interested in passing a bill for the sake of just checking a box and saying we have done something significant. That route is sure to lead to even more problems. I am interested in delivering real reforms, as I am confident all of my colleagues here in the Senate are, and I think our legislative efforts can produce a product that will be responsive to the crisis we are now experiencing—a crisis largely of trust.

Of course, for those changes to reach communities in Texas, they also need to be able to pass not only a Republican-controlled Senate but a Democratic-controlled House and be signed by President Trump, and I believe the legislation we will unveil tomorrow could deliver in each of those bodies. I think each of us has a responsibility to take action to repair and address the fear, the anger, and the lack of trust between law enforcement and our communities, and this bill does an important first step.

I am proud to have worked with Senator SCOTT and all of our colleagues in this effort, and we all will make our contribution before we are through. I am looking forward to sharing those details tomorrow during the press conference.

With that, I yield the floor.

#### RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:31 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mrs. CAPITO).

#### TAXPAYER FIRST ACT OF 2019— Continued

H.R. 1957

Mr. GARDNER. Madam President, yesterday, we had a series of successful votes to move forward on the Great American Outdoors Act. I am excited with the votes we have taken last week and the votes last night and that we

will finally move to passage of the legislation, the Great American Outdoors Act, tomorrow. I urge my colleagues to support this bill.

We had the opportunity over the last several weeks—last week, in particular—to talk about what it means for every State in the country, what it means for every county in the country, and the significant opportunity for conservation, which is the crown jewel of conservation programs and, of course, our national parks. It is not just national parks, of course. It is our forests, and it is our BLM grounds and the efforts we have with the Bureau of Indian Education.

I thought I would talk specifically about some Colorado projects today and what the Land and Water Conservation Fund has meant for Colorado.

This is a photo of Wilson Peak in Colorado. It rises over Telluride in southwest Colorado. Wilson Peak is one of the 54 mountains in Colorado that top 14,000 feet. Climbers and hikers eager to summit the 14,500-foot peak, located in the Lizard Head Wilderness, have been frustrated for years by key land access routes being blocked, which made it impossible to get to. In addition, Wilson Peak long remained the last “fourteener” in Colorado without public access.

Through 9 years, very complex land exchange negotiations, and work to assemble suitable exchange properties and funding, the Trust for Public Land purchased 25 patented mining claims, including the summit and key portions of the main summit trail from multiple private owners. In 2011, the Trust for Public Land formally transferred ownership of land to the U.S. Forest Service, ensuring in perpetuity the public access to Wilson Peak summit.

If you go to the next one, this is a photograph of the Big Thompson River. In 1976, rains began to pour near Estes Park, CO, and caused one of the biggest natural disasters in Colorado's history. A remarkable 12 inches of rain fell in about 4 hours. As a reminder, there are areas of Colorado that only get about 14 inches of moisture a year. A remarkable 12 inches of rain fell in about 4 hours, bringing the Big Thompson River to 19 feet above its normal level, and sending 31,000 cubic feet per second of water racing downstream, down the canyon, carrying with it everything and anything in its path. The flood claimed 145 lives, 418 homes, 52 businesses, and caused millions and millions of dollars of damage in 1976.

In the aftermath of the disaster, Larimer County recognized that simply rebuilding new homes in harm's way within the floodway didn't make sense. The county turned to the Land and Water Conservation Fund as an important part of the solution. With just over \$1 million from Land and Water Conservation Fund and some other matching resources, the county acquired a number of properties along the Big Thompson River, which provided