

that is supported by the administration. My hope is that the House will move quickly on this. What better present to our Nation than to have this legislation signed into law, hopefully, by July 4.

As we all know, at a time of significant division in our country, the fact that this body was able to come together and pass this bill with over 70 votes gives me a little bit of hope. Again, I am proud of my colleagues for stepping up to restore our national parks and public lands, and as I mentioned at the outset, this legislation will create over 100,000 jobs, jobs that are extraordinarily needed at this critical moment when our economy has been shattered. So for current Americans and future Americans, job well done.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SCOTT of South Carolina. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### JUSTICE ACT

Mr. SCOTT of South Carolina. Mr. President, I woke up this morning, Wednesday morning, June 17, 2020, and for so many Americans, this is just another Wednesday morning. You wake up; you get ready for work—but not in South Carolina.

In South Carolina, this Wednesday, June 17, is the fifth anniversary of when a racist walked into Mother Emanuel Church, sat through a Bible study for an hour and listened to believers talk about their love of God. At the end of that Bible study, he pulled out a weapon and killed nine people. So for me and so many South Carolinians, this is a hard day.

I will tell you this: Standing on this floor, remembering the words of one of the victims' son, Daniel Simmons, Jr., 5 years ago on a Wednesday, 1 week later—I asked Daniel Simmons, Jr., whose father, Daniel Simmons, Sr., had been killed in an attempt to start another race war at the home of the Civil War: What should I say to the people who would be watching around the country?

He said what I could not believe. It was this: Please remind them of Romans 8:28—that all things work together for good for those who love God and are called according to His purpose.

I was standing at those doors on my cell phone. I could not believe the words he was speaking. In an act of true, unconditional love, he inspired me. He encouraged me. He taught me lessons of strength and courage and mercy our Nation needs to remember.

I came to the floor today to speak about my new bill, the JUSTICE Act, our Republican response to police re-

form. I was sitting in my office when the Senator from Illinois talked about the “token” legislation on this day, the day that we remember Mother Emanuel Church and the nine lost lives and my friend, the pastor of the church, Clementa Pinckney—the first person ever to call me a Senator, the pastor of that church, a Democrat pastor of that church said to me “My Senator,” in December of 2012—and reflect back on the fact that I have on my phone today the text for Clementa in which I said: Are you OK? He didn't answer because he was already dead.

To think that on this day, as we try to make sure that fewer people lose confidence in this Nation, to have the Senator from Illinois refer to this process, this bill, this opportunity to restore hope and confidence and trust to the American people, to African Americans, to communities of color—to call this a token process hurts my soul for my country, for our people.

To think that the concept of anti-lynching that is a part of this legislation would be considered a token piece of legislation because, perhaps, I am African American and the only one on this side of the aisle—I don't know what he meant, but I can tell you that, on this day, to hear those comments, again, hurts the soul.

To think about how, in the same year, 2015, Walter Scott, in my hometown of North Charleston, running away from the police, was shot five times in the back—I sponsored legislation then, and I don't remember a single person saying a single thing on that side of the aisle about helping to push forward more legislation on body cameras. But, today, this is a token piece of legislation. I think it is important that we stand up and be counted and make sure that we have more resources available for every officer to have a body camera because, as we saw in Georgia with Mr. Arbery, had it not been caught on video; in Walter Scott's case, had it not been caught on video; in George Floyd's case, had it not been caught on video, we might be in a different place.

On the other side, they are wanting to race-bait on tokenism, while this legislation would provide resources for body cameras, for anti-lynching, and for deescalation training. But, no, we can't concern ourselves with the families I sat with at the White House yesterday and in my office yesterday. Instead, we want to play politics because this is 2020, and we are far more concerned about winning elections than we are about having a serious conversation on reform in this country. No, we would rather have a conversation about tearing this country apart, making it a binary choice between law enforcement and communities of color instead of working for the American people, bringing the reforms to the table so that we have a chance to balance this Nation and direct her toward due north. No, that is too much to ask on June 17, 5 years later.

I started this conversation on body cameras in 2015, in the Walter Scott Notification Act in 2015. But, no, we want to have a political conversation. I reject that. I reject that.

I will tell you that I believe my friends on the other side of the aisle are serious about police reform. There are just some who are more interested in scoring political points than they actually are in getting a result.

It is not the majority of them. The majority of them have the same heart that we have for the American people. That is where we should be focusing our attention, not the color of my skin, not tokens. It is cool when you are out in the public. I get it all the time on Twitter. I am used to it. But on this day, my heart aches for my State. My heart aches for my uncle's church, which he attended for 50 years before he passed. So I am a little riled up.

I sit here quietly trying to pass good legislation that was based on the House bill because I knew that if I wanted a chance to get something done, we had to do it in a bipartisan fashion. I am not running for anything. I am not up for reelection. I am not trying to support someone for their victory. I am simply saying to the families I met with yesterday at the White House without a camera and in my office yesterday without a camera: I hear you. We see you. You are not simply sitting there silent. We are working on serious, tangible, measurable results.

Why is that not enough? Why can't we just disagree on the three or four items that we disagree upon? Why can't I say what I have been saying, which is that the House bill is, in fact, the blueprint for some progress? It goes too far for me in some areas, but, yes, I like the concept of more information. This is a good thing. The House does it; we do it. That is a good thing. I like the concept of more training. The House does it; we do it. I like the fact that we are looking for a way to ban choke holds. We do it by taking money from different departments; they do it in a different fashion. We are about 90 percent there.

But where do we go? Where do we go? People wonder why our country is so divided. It is because it is so easy to walk onto this floor and say “token” and send the same race-baiting message that we have heard for a very long time.

If you are a Democrat, hey, it is OK. That is not ever OK. It is not OK to say to our kids: You can't think what you want to think and be who you want to be. If you are not in line with one idea and the way they think, it is bad news. Then you are a sellout.

What message do you send the kids? I am going to be OK, but what message are we sending the kids throughout our country—that you can't be taught just to think; we have to teach you how to think. That is the kind of conclusion that is wrong. It is toxic. It is pushing our country toward an implosion that is avoidable.

That is why I started my legislative day today with remembering Mother Emanuel. It is why I read my Bible next—because I knew I needed a little extra strength. That is why I turned immediately to my first interview trying to talk about police reform because, as a guy who has been stopped 18 times in the years of the 2000s, I take it seriously. Being stopped seven times in a single year, being stopped this year, being stopped last November, being stopped coming into the Senate with my pin on—sure, I get it. But I don't point fingers at the other side, saying that they are just not serious about the issue. It is just not what we should do.

I assume that everybody should be serious about the issue, but I have to tell you, it is with a heavy heart—it is with a heavy heart that I believe that, had we had more money for body cameras, we would be in a different position today than we were in 2015. But I didn't have anybody who wanted to have this conversation or, at least, they didn't have this conversation.

I believe there are good people of good intent on the other side of the aisle. I think there are people of good intent on our side of the aisle. I think the fact is that most Americans are tired of Republicans and Democrats talking about Republicans and Democrats. I think most Americans are tired of our talking about election outcomes and polls. "What about me?" is what they are saying.

I am suggesting that this bill, the JUSTICE Act, is a serious nationwide effort tackling the issues of police reform, accountability, and transparency. It is grounded in bipartisan principles because I believe that the other side has some stuff we have to hear and that our side has some stuff they need to hear. If we do that, we will have the votes to have a real debate next week on this bill, but if we don't do that, we will just talk about scoring political points, and you will go on MSNBC or CNN, and we will go on FOX, and everybody will have their chatter, and more people in the communities of color will have less confidence in the institutions of power and authority in this Nation because we missed the moment. We missed it 5 years ago. We don't have to miss it now.

As you know, I am not really into theatrics. I don't run toward microphones. I have had a lot of them these last 7 days. I don't talk a lot in conference because, why say what other people are saying? They have probably said it better. I don't demonize the other side because I know that in order to get anything done in this conference, on this committee, in this Senate, you have to have 60 votes. Plus, if you have a grievance with your brother, talk to them. Talk to them. I have tried to do that.

As I am sure I am running out of time, let me just say that the families I sat down with yesterday—they don't think working on body cameras is a

token experience. They don't think sitting down with the President of the United States, with tears filling their eyes, running down their cheeks, talking about their lost loved ones is a token experience. The law enforcement officers in that meeting with those families do not believe that having a serious conversation about police reform is a token experience. They don't believe that corresponders for the one man who was in the room, whose son was having a mental episode, who was shot on the scene—he doesn't think this was a token experience.

Shame on us. Shame on us if we are unwilling to have a serious conversation about a serious issue that, in my opinion, is a greater threat to this Nation than perhaps anything we have seen. We have never solved it because we are all having political points. That is wrong. It is just not right.

Let me say to all of my colleagues, Senator LANKFORD, Senators CAPITO, SASSE, LINDSEY, BARRASSO, and ALEXANDER: Thank you. Thank you for giving a voice to a serious issue.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. LANKFORD. Mr. President, first, I would like to associate my remarks 100 percent with everything Senator SCOTT just said. Somehow I am supposed to speak after he just said it.

The frustration that I have had over the past couple of days as we have worked very hard in pulling the legislation together is we have talked to people all over. I have talked to people of all backgrounds all over Oklahoma. I have talked to members of the community. I have talked to law enforcement. I have talked to leadership in law enforcement. We have worked to build a coalition of ideas, things that would pass, answering the question that TIM SCOTT started with: Could we pull together a piece of legislation that would actually help—not to just pass something so we can walk away, pat each other on the back and say "We passed something," knowing quietly that it really isn't going to make any difference? Is there something we could do that would actually make a difference?

Over the weeks we have worked to identify what could pass, what could make a difference, what answers the questions everyone is asking. We didn't look at whether it was a Republican or Democratic idea. We just asked the question, what would make the difference, because I don't believe equal justice under the law is owned by a party. It has been fascinating to me, the questions I have had over the past couple of days as members of the media would quietly pull me aside and say: Hey, are Republicans going to be able to pass a bill on race? Quietly, they are asking the question: We know all those Republicans are racist, so are you going to be able to pull something off? That is really what they are saying in the background. Over and over again, I heard it through the media and have

seen it put out there: You know those Republicans are all racist. I don't think they are going to be able to pass something dealing with race.

As this dividing message continues to go out, we continue to do our work because we also believe in equal justice under the law. As a friend of mine said to me a couple of weeks ago, we also believe we should be able to work toward a more perfect Union.

For me, it is not only a practical issue, not only a family issue; it is not only a friendship issue; it is not only a basic freedom and liberty issue; it is not just a constitutional issue. For me, it is also a Biblical issue. You can go back as many pages as you want to in Scripture and work your way from beginning to end, and you are going to find some very consistent themes. Throughout the book of Deuteronomy, there is a statement about how God's affection is "for equal weights and measures." His first challenge to government when literally the Jews were establishing their first government, God spoke to them, saying, make sure there are equal weights and measures. It is a simple way of saying, whether you are rich or poor, whether you are a foreigner, whether you are a member, whether you are in or out, everyone is to be treated the same, equal weights, equal measures. Find that passage over and over and over again through the Old Testament. Read it all the way to the Book of the Revelation at the end.

At the Book of Revelation at the end, there is a gathering around the throne that is pictured. At the very end, there is the gathering of the Kingdom of God. As they gather around the throne, it is described as every tribe, every nation, every language, every people, all gathered.

For me, this is a Biblical issue as well as being a personal issue, but for us as a nation, it is a legal issue. It is about where we find inconsistencies in the application of the law, we are to correct it, and we do what we can to make it right.

This bill is designed with a simple statement in mind. How can we provide accountability, transparency, and training in law enforcement so that the good cops shine and those who are bad apples in the mix, the light shines on them.

That is all we are asking. We want to see things change. People in my towns across my State want to see things change and want to know that this is not just a vote that is a partisan vote; it is a vote to actually get something solved.

It wasn't that long ago that this body was gathering and voted unanimously on an almost \$3 trillion bill dealing with a major problem in America, COVID-19. Why don't we get together again, hash out the issues, and unanimously come to some decisions again on a major problem in America, injustice?

We can't pass something that bans racism. I wish we could. We would have

all taken that vote. We can't ban racism. That is passed on through families and individuals. Children are not born racist. They are raised racist. Families have to make a decision about what they are going to do in their family. The national conversation about race doesn't happen in this room. The national conversation on race happens in kitchens and dining rooms.

We can do something about justice. There are simple things we tried to gather, a set of ideas that aren't partisan. They are ideas and solutions that have come from all over the place, some Democratic and some Republican, and we pulled these things together, and we are asking a simple question: Will our Democratic Members take a vote with us next week to move to this bill to amend it, debate it, talk about it, have a real dialogue, and pass something that we think will work? Will this bill look exactly like this? It probably will look a lot like this because there are aspects of this that look like this in the House right now. Will there be additional ideas? Probably. Why don't we debate it and talk about it? Why don't we both open it up and discuss it and why don't we actually try to solve it?

There are things such as, if there is bodily injury or death in police custody, that all of that information has to come in to the FBI so we can disseminate it and get transparency in the country. In fact, 40 percent of the departments report that, but a lot of them do not.

There are a lot of places that do no-knock warrants. We don't have information about that. We know it is happening all over the country, and there is some conversation about maybe we should end part of it or keep part of it. What would that look like? We don't have the information gathered. Why don't we get information on no-knock warrants so that we can make an informed decision and then act on it?

Why don't we deal with some basic problems that are out there that we have seen several times in some of the worst moments? Something happens, and law enforcement is not wearing a body camera, and it is one opinion against another opinion. Why don't we get more body cameras in the streets, and why don't we make sure those body cameras are actually turned on all the time? There is new technology in body cameras so that they automatically turn on when there is a call. Law enforcement doesn't have to worry about, "I forgot to turn it on." It turns itself on. Why don't we incentivize it to encourage new body cameras with automatic features to turn it on so we always have footage?

Why don't we hold people to account if there is a false police report that is filed? In several cases of late, when the incident was over, a written police report was filed. Later, cell phone video came out that was completely different from the original police report. Well, that is a false report. Why don't we hold that bad apple to account?

Why don't we end choke holds? Most departments already have. Why don't we just end it nationwide? Why don't we say to departments: If you want to get a Federal grant for any law enforcement purpose, you can't get that or you get a reduced amount or you get a big deduction unless your department has already banned choke holds. Basically, we lay the marker out there and say: We expect you to take action on this.

Why don't we deal with the issues that are before us that people are asking questions about, and where we lack information, let's go get it.

It was several years ago that Senator PETERS, on the Democratic side, and Senator CORNYN, on the Republican side, put out a proposal to have a Commission study these issues and more, to gather information and make recommendations and to start passing legislation in a unified way. It passed in the Senate unanimously and died in the House. Let's bring that legislation back up.

We tried to do some work in the Senate to head this off. Let's do it again and see what we can actually do. Where we find departments that are recruiting officers and the department doesn't match the ethnicity of their community, why don't we provide grants for that community and that police department to be able to have a Black recruiter recruit more Black officers and to help them financially in the earliest days through the police academy to make sure that department profile matches that community?

One of the great gains of the last 30 years has been community policing, allowing officers to be able to get out of their car and meet their community and to engage so communities are policing together. Why don't we do that?

I did a ride-along with an officer several years ago, and I will never forget it. As we were riding through his community and his neighborhood where he always patrolled, we drove by an elderly lady as sweet as she could be sitting on her front porch. As we drove by I asked: Does she sit out there every day?

The police officer laughed and said: Yep, she sits out there every day.

I asked: Have you ever stopped to meet her?

He hesitated for a long time, and he said: No, I never have.

Community policing does make a difference. When you get a chance to meet the people in the community, get to know them, and share the responsibility together for actually working to solve problems that we face.

We are laying down a set of ideas that we feel will make a difference, not just make a message. Other people have other ideas. Bring them. Let's open it up.

Let's not have heated debate. Let's have debate that solves the problems so that at the end of this, we know what we are solving. We solve it, and then we keep going.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. GRAHAM. Mr. President, for one, I would like to say something about Senator SCOTT. I know how hard it is to work on this, and it has not been an easy enterprise for Tim. He is a conservative Republican, who happens to be African-American, and he has decided to take the lead on something that is very important to the country.

He has had experiences that I don't have. He has been stopped multiple times on Capitol Hill. I have never been stopped. One year, he was stopped seven times for lane changes. The point is that Tim believes—and every African-American male I have talked to in the last couple of weeks is told early on, if you are stopped by the cops, watch what you do; keep your hands on the wheel and don't go toward the dash because that could end badly. I don't know how that happened, but it is real. For us not to realize that would be a huge mistake.

Let me be on record as saying I understand that if you are an African-American male, your experience with the police is different than mine. It is unacceptable, and it needs to stop.

So how do you stop it? You bring about change. So what kind of change are we looking for? Our Democratic friends have a list of changes. I think it is Justice in Policing. The House is marking it up. Here is what I would say to my Democratic colleagues: Stop lecturing me. You had 8 years under President Obama to do the things in the Justice in Policing Act, and 90 percent of it you never brought up. I am not saying we are blameless, but there has not been this sense of urgency to deal with these problems institutionally like there is today. Why? Because of Mr. Floyd and a few other things all happening together.

Tim said in 2016 we had our chance. These episodes come and they go. The question for the country is, Will anything ever change? The only way it is going to change is to find common ground. So the proposal Senator SCOTT has collected, along with other colleagues, has bipartisan support, but if it is not enough, I am willing to listen regarding doing more.

Senator SASSE was with me yesterday. We had a 5-hour hearing, and I learned a lot. I learned that a police department looking like the community is important, Senator LANKFORD, but, more importantly, is that you live where you police.

I asked a gentleman from New Jersey: What is more important, race or community attachment? He said: Community attachment. You are less likely to hurt somebody in a community you feel a part of.

Now, having said that, we need more African-American police personnel. We need more women. Apparently, women do their jobs a lot better than men. I haven't heard one person come forward and say: I had a bad experience with a

policewoman. More women would be helpful. But the main thing is, we need people from the community being in charge of policing that community with a system that is more accountable.

So CORY BOOKER and I have worked together on a lot of things—great guy. TIM and CORY are good friends, and I admire the heck out of TIM SCOTT. I am not going to take any more time. He is one of the most decent people I have ever met, and we are lucky to have him in South Carolina and the country is lucky.

The bottom line, as CORY said, there are two issues that have to be addressed or everything else doesn't matter—242 and qualified immunity. I wrote them down. For those who are not conversant in 242 or qualified immunity, there is nothing wrong with you. This is a very archaic area of the law. Qualified immunity is a judicial doctrine that has developed over time that relates to the 1983 civil rights statute that allows people to sue governmental entities for abuse of force, for excessive force.

There is nothing in the statute about an objective standard where the reasonably prudent police officer in the same circumstances acted accordingly. There is nothing about good faith.

Justice Thomas is a pretty conservative guy. He wanted to revisit qualified immunity. I don't know how he would substantively come out on the issue, but in his dissent denying certiorari of the concept, he explains how this judicial concept has exploded beyond every attachment of common law analysis. This is Clarence Thomas. If you presented to me qualified immunity in its current form as a legislative proposal, I would vote hell, no. Police officers need not worry about losing their house or being sued if they act in good faith in performing duties that are hard on any good day, but when police departments time and again fail to do the things necessary to instill good policing, I think they should be subject and accountable like any other business. There is common ground here.

Not one Democrat has suggested to me to make the individual officer civilly liable under 242, but I had Democrats suggest to me that the standard has become almost absolute immunity.

The Presiding Officer has run all kinds of businesses. Being in the policing business is not your normal business. There needs to be a filter when it comes to lawsuits. It can't be about outcome. But it is now time, in my view, to look at the development of the qualified immunity doctrine as it relates to the 1983 underlying statute and see if we could make it better, not gut it.

To my Democratic friends, if you want to eliminate qualified immunity, it will be a very short conversation. If you want to reform it so that municipalities and agencies and organizations running police departments will have some protection but not absolute im-

munity, let's talk. Maybe we can get there if it is that important. Let's at least try. That is what the legislative process is all about.

Section 242 allows the Federal Government to bring charges against an individual for denying another American their constitutional rights. This is about policing but not exclusive to policing.

The Presiding Officer is from Georgia. I am from South Carolina. There was a time in the South where juries would nullify all the evidence in front of them because the victim was a Black man and the perpetrator was White. A mountain of evidence could be presented, and there would be an acquittal in like 15 minutes. So we came up with a concept to allow the Federal Government to intervene in cases like that and hold somebody liable for violating the constitutional rights of another American under law Federal law.

The standard to prosecute is "willful." You have to prove that the police officer willfully understood the constitutional right and violated it. My friends on the other side want to lower the standard to "reckless." What I would say is, this is not 1965. The police officer involved in Mr. Floyd's death is going to be prosecuted. So while it is important to talk about section 242, most States where these events have occurred have acted responsibly. We don't need the Federal Government sitting in judgment of every cop in the country. What we do need is a system of accountability. I will talk to you about 242, but I think that is not the issue.

What is the issue? It is that police departments that are immune from liability when they engage in abusive conduct over and over are unlikely to change until that changes. You can throw all the money you want to at training and improving best practices, and they will gladly accept your money. If they don't do it right, they don't get the money. Add one thing to the mix. By the way, if you shoot a dog and you wind up killing a kid—your police officer shouldn't have shot the dog anyway in a fashion to kill the kid who was right by the dog—you are going to wind up having your ass in court. That will change things.

I have been a lawyer, and I know how people feel about this. If you are exposed, in terms of your conduct being subject to a review by a court and a jury, you are all of a sudden going to think differently.

Don't misconstrue what I am saying. I am not for abolishing qualified immunity; I am for revisiting the concept because I think it has grown too much from judicially created fiat. It is time for the legislative body—for us to speak as to what we would like to have happen to the statute that we create that now has a component to it that was never envisioned when it was originally passed. That is what Clarence Thomas is telling us as a nation we need to do.

To my friends on the other side, if it is about qualified immunity, let's talk. If it is about 242, let's talk. If it is about keeping this issue alive, don't waste my time. We have all had plenty of time around here to do better. Now we have a chance to actually do some good. The only way we are going to do some good is talk. The only way you get a law passed is to engage in debate. If you don't want to debate the topic, if you don't want to have amendments about the topic, that tells me all I need to know about where you are coming from.

I yield to the Senator from Nebraska. The PRESIDING OFFICER. The Senator from Nebraska.

Mr. SASSE. Mr. President, I want to start by saying thank you to my friend from South Carolina—LINDSEY GRAHAM, chairman of the Judiciary Committee spoke, but I mean my desk mate, Senator SCOTT from South Carolina—not only for his leadership and hard work and the hard work of Jennifer and the rest of that their team. Over the course of the last 2 weeks, they have been working around the clock to lead our six-person working group on this project.

I want to thank Tim, not just for his leadership, but for his speech 30 minutes ago and for his spirit. That speech is a speech that needs to be watched by every American.

I sincerely hope that the 100 people in this room will come together and try to get an outcome and not just maintain a political issue as has happened so often around here. I think if we had the process that was the custom in the Senate until a few decades ago of committees happening in the morning and the Senate convening for most of the afternoon—if this room were actually full when TIM SCOTT delivered his speech, it would be real tough for people to be talking about not voting on the motion to proceed next week and getting on this piece of legislation where we could then debate it and argue about it and fight about technical pieces here and there and figure out how we make it better. We would be on a piece of legislation, and we would be trying to get an outcome. I sincerely hope that is true. I sincerely hope people listen to TIM SCOTT's speech from today.

George Floyd's murder, obviously, shocked the nation. It shocked us in two ways. It shocked us, on the one hand, because we saw a man being murdered for 8 minutes and 46 seconds, and we saw three other police officers stand by while he was murdered. But it also shocked us because it reminded us, yet again, that America's struggle for equal justice under the law is far, far from over.

The American creed is a beautiful thing. The American creed celebrates the dignity, the inherent self-worth, the fact that we believe, as so many of our Founders believed, that people were created *Imago Dei*—created in the image of God as image bearers. That

dignity is male and female, Black and White. Every man, woman, and child in this country is created with inherent dignity. They are beautiful, and that creed is beautiful. That proposition that all men are created equal should inspire every generation of Americans. We aren't doing a very good job right now of passing on the glories of that creed to the next generation. It is a beautiful and profound creed, but throughout our history, our failures to live up to that creed have been ugly over and over again.

George Floyd's murder was horrific for that man and for his family and for everyone in his communities—Minneapolis, Houston, and other places where that man had made a mark. But it was also horrific because it was yet another reminder of all the ways that we fail to live up to our creed. The creed is beautiful, and our execution has so often been ugly.

When communities of color have lost faith in law enforcement, we aren't living up to that creed. When an American tells you that he fears being pulled over for driving while Black, we need a lot more conversations in a lot more communities so people know this experience.

Again, Senator SCOTT is one of my closest friends in this body. The experiences he has had with law enforcement in South Carolina are different from the ones I have had with law enforcement in Nebraska. The experiences he has on Capitol Hill with law enforcement have been different from the experiences I have had on Capitol Hill. No one should be wearing skin pigment or racial heritage as something that changes our experience of law enforcement, yet it is regularly the case. That is ugly. The creed is beautiful.

Our attempts to become and to be a more perfect Union and to live up to the glories of that creed are an important part of our shared project together. At the risk of sounding too theological, east of Eden, sin is always ugly, and that includes America's original sin. That tells us that we have work to do together.

We have work to do as 330 million Americans, but we have work to do as 100 Senators. What that should mean is that next week we are going to be in this body trying to live up to that creed and to do more.

There is a lot of technical stuff inside this bill. As Senator SCOTT said, 70 percent of what is in this bill is pretty darn noncontroversial, largely because it is lifted and summarizing many pieces that are also in the House of Representatives' Democrat bill.

The JUSTICE Act puts forward a number of commonsense reforms that seek to force more accountability. This has been stated on the floor many times today, but I want to say it again: When police use lethal force, there is a voluntary opportunity today for them to report that to the FBI. We want to make that mandatory. We want all that data to be captured and to be

passed along so there is a lot more transparency on all lethal uses of force.

The commonsense reforms include increasing police resources. There is a lot of training that needs to be done better across this country. There are a lot of practices in local law enforcement—when you look at the 15,000, 16,000, whatever the current number is of local entities that have the capability and capacity to have law enforcement authorities, those policing powers, there is a lot of diversity in their practices. Some of those practices are improving but are still bad. Senator SCOTT and our legislation want to try to use the Federal grant-making powers to squeeze out some of those bad practices.

We want to see trust rebuilt between this Nation's communities and the police. We reject the false binary that you have to make a choice between being on the side of communities of color or being on the side of law enforcement. No, we don't want that to be the choice. We want the choice to be law enforcement to get better and communities of color to have more trust. We want to see more collaboration. We want to see more progress. Frankly, that is what the vast majority of individual police and that is what the vast majority of police departments want.

The overwhelming majority of Americans—Republican and Democrat, women and men, Black and White—the overwhelming majority of Americans want us to build more trust. We can do that in this body next week.

We want to strive toward equal protection under the law. That starts with trying to narrow the differences and figuring out what we can do to move forward together. That is what this bill does. This bill is an architectural frame to do a bunch of good things that are pretty darn noncontroversial and to do a bunch of things that we can build on in a debate and amendment process.

We should be passing something 100 to 0. There will be debate. There will be amendment votes underneath that will be contentious, but we should ultimately be getting onto a piece of legislation to start the process 100 to 0, and at the back end we should be passing something 100 to 0 even though, in the middle, there should be a bunch of amendments where people argue about the best way that we do the particulars.

There is no reason we shouldn't be moving forward. We can get this done. We can take another step to make America's beautiful creed a reality for every single one of God's children. That is what we should do, and we should do it without delay.

I yield to the Senator from West Virginia.

The PRESIDING OFFICER (Mr. COTTON). The Senator from West Virginia.

Mrs. CAPITO. Mr. President, I am pleased to be here with my fellow Senator from Nebraska and the other Members of the small team that was

really blessed to be asked to join Senator SCOTT as he led us to where we are today, which is introducing the JUSTICE Act.

I am thinking about where the great talents lie in the Senate. One of the things we all know all of us do well is talk. We know how to talk. Sometimes we talk too much. Senator SCOTT doesn't talk that much. He even said that about himself. I can tell you the skill that he has that a lot of us need more of. Always, when I am asked by school children "What is the best skill to have?" I say it is the ability to listen. He has listened for years and years. He has not just lived this; he has listened. He said, just yesterday, he was with the family of one of the victims, and it was a very moving day for him.

I am here today to rise with my colleagues in support of the JUSTICE Act. I join the overwhelming majority of Americans and West Virginians who, in sadness and frustration and sorrow, witnessed the horrifying video of the murder of George Floyd by the Minneapolis Police Department. It was absolutely unacceptable.

The vast majority of our law enforcement officers here and around the country are just like us. They want to have a great and peaceful nation. They want to have great and peaceful communities. They want their families to feel safe in their homes and out in the streets of their communities just as we do. A lot of them take their oath seriously and do their best to protect our communities.

It is not enough to say that the death of George Floyd was a terrible, isolated tragedy because we know many of these have preceded this date. I have said it is almost like popping a balloon and revealing all of this unrest underneath, all the questions and sorrow that have been festering.

Here we are today. I think the great majority of us want to put all this energy and frustration into action. We want to have something substantive so we can tell the American people: We listened. We heard. We feel this. And we want to find solutions.

We have to recognize that every time force is used inappropriately by law enforcement, our justice system has eroded. We have to understand our history, wherein Black Americans have been too frequently denied their basic rights. It is our job to make sure that Americans, regardless of race, can feel that law enforcement is there to protect them and their families and that they trust that. The trust factor is where the erosion has been most remarkably in view of all of us—the lack of trust.

It is our job to hear these voices and to act. In my opinion, it doesn't mean defunding the police; it means improving the police and improving equal protections so that everybody has basic protections and we are all equal in the eyes of justice and the law.

We have seen the looting. We have seen officers who have lost their lives.

We have seen an underbelly to our country that has been difficult to watch. Yet what we have seen, too, is an outcry of the American citizens peacefully protesting what they see as inequities in their lives. When I look in the crowd—I was right there in Washington last week when a crowd of about 150 protesters walked by me very peacefully with signs and chanting in solidarity. Most of the people in that group were probably under 30 years old. There were a lot of Black faces, a lot of White faces, men and women, young people who felt that lack of trust. We look at how people have exercised their First Amendment rights. It is a beautiful thing to see. Unfortunately, it has been eroded by some of the destructive things that have come along with it, but at the base of it, we are hearing the same things in our States every day.

While we want to know that our Declaration of Independence has lived up to—and that the 14th amendment, which guarantees that no government, including State and local governments, can deny basic constitutional rights, we haven't quite lived up to all of that.

A century passed before we passed major civil rights legislation in 1964. One of the sources of great pride for me is that my father was one of the leading Republicans in the House of Representatives representing West Virginia in 1964 who helped make sure that passed. In my office, I actually have a pen that was used in signing that and a picture of my dad at the White House when it was signed.

Our job is not done. When I hear the voices of mothers who say that they are fearful their son might not survive a simple traffic stop or they must have certain behaviors—as Senator SASSE said, it is so different from what he learned growing up as a young man about how to interact with police officers in that situation. We can't have those anguished cries and that double system anymore. That is what this bill is about.

I am proud to be with Senator SCOTT introducing the JUSTICE Act. It has been interesting to watch him and all of us listen to the different segments of our society who have talked to us—friends, neighbors, police, members of communities of color, our religious communities, our news commentators. I did six interviews today on the TV about this. Every single one of them asked me one fundamental question, and I wish some of my friends on the other side of the aisle would be here. They asked: You don't have a very good history in this body of having Republicans and Democrats joining together to get something done. How do you think you can do this now? I said: Well, today we did. We did the Great American Outdoors Act. Several months ago we did the CARES Act. We can do it. Where there is a will, we can do it.

If we don't do it, we are failing so many people. We are failing ourselves. We are failing our country, our com-

munities, failing our law enforcement communities. I would say that we need to begin this job of a difficult conversation and make sure that we get this bill onto the Senate floor and debate it in front of the general public.

When we start debating things on the Senate floor in front of the general public, do you know what happens? The same thing that happened during the impeachment trial. I know all of us were getting all kinds of input from people all around. People are watching it. They are seeing what is actually going on. That is what we need. If we want to have discussions on qualified immunity, if we want to ban choke holds, which I want to do and our bill does, essentially, but if you want something more definitively, yes, I am all for that. Let's have the discussion and talk about it in front of the American people.

I believe that law enforcement has a lot of great people who work in and around law enforcement. They need the equipment. They need the cameras. They need to have the realtime evidence—the realtime evidence of wrongdoing and evidence of doing it right. It is a protective device. Everybody should have the availability of that in law enforcement.

We also require that law enforcement agencies retain disciplinary records on officers and make sure that they check an officer's record from other agencies before making a hiring decision. I kind of thought that was going on anyway. I sort of did. We need to make sure and make clear that is what we absolutely want to do.

The bill incentivizes State and local police agencies to ban choke holds. As I mentioned earlier, I am for even more definitive language on that.

It also provides training in all kinds of areas—deescalation or if an officer is in a situation where another officer is using overwhelming force improperly, that officer is trained on how to interdict that situation. We saw that happen in Minneapolis. Sadly, the officers did not, but maybe they didn't know how to do it, when to do it, what form it should take. Let's explore that.

To keep our communities safe, we need our police officers. We need trust in our law enforcement. There should be no conflict between a pro-civil rights bill and a pro-law enforcement bill. They should be able to be joined together. This supports our police officers while bringing about positive change that will guarantee equal protection to all of our citizens. The police reform bill will make a real difference in advancing our constitutional ideals and in making our communities safer.

I am proud to stand with Senator SCOTT, but I want to stand with the entire body to talk about the ways to make this bill even better, to take the 70 percent of this bill that we have shared ideals on and shared ideas and put those into action and to not dither here, to not score political points, and to say to the American people: These

are tough decisions, and we are going to make them. We are going to have this where you can see it, right here on the floor of the U.S. Senate.

So thank you very much. I am proud to be with my colleagues.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Ohio.

NOMINATION OF JUSTIN REED WALKER

Mr. BROWN. Mr. President, we are in the middle of a pandemic. The President of the United States doesn't act like it, but Americans are still dying by the hundreds—several hundred almost every day.

We are in the middle of an economic crisis. Again, the President of the United States doesn't act like it. He crows about the unemployment numbers when they are the worst since World War II.

And we are in the middle of a crisis of conscience. Millions of Americans have taken to the streets to protest the murders of Black and Brown Americans by the people supposed to protect them.

With all of these challenges, the President of the United States is failing. The Senate should be stepping in right now to fill that leadership void, to get more help to families and to communities that are going bankrupt, to protect workers—to use every tool we have to force the administration to get some kind of test trace isolate regime in place to truly stop the spread of the coronavirus. We should be listening to the protestors demanding justice in communities all across the country, large and small.

They remind us this pandemic isn't a separate issue from racial justice—it is all connected. It is not a coincidence that President Trump stopped even pretending to try to fight the coronavirus once he realized it was disproportionately Black and Brown Americans dying, not very often one of his rich friends.

In the Senate, we have plans to get help and protections to workers; we have plans to fund a scale-up of testing that gets us closer to the level we need; we have plans to work to hold police accountable; we have begun to tackle the systemic racism in our justice system.

Look at it this way: The last time I was on an airplane was in mid-March. I live close enough—6-hour drive between Cleveland and Washington. In mid-March, there were about 90 coronavirus cases diagnosed in the United States—halfway around the world from where the Presiding Officer likes to emphasize it came from, Wuhan. About 900 miles from Wuhan is the capital of South Korea—Seoul. In South Korea, around that same time, there were 90 cases. So South Korea had 90 diagnosed cases; the United States had about 90 diagnosed cases.

Since that date in March, fewer than 300 Koreans have died of the coronavirus; over 110,000 Americans have died of the coronavirus.