

work, and to study in America without fear of deportation for the moment.

DACA, of course, is a program created by President Obama in 2012. It was a program that was, frankly, our answer to the failure to enact the DREAM Act as the law of the land. The President used his Executive authority to create the DACA Program, and here is what it said, just basically mirroring the standards of the DREAM Act, which I introduced 20 years ago: If you were brought to America as a child, if you have lived in this country, gone to school, don't have a serious problem with the law, you should have a chance to live here without fear of deportation. The DREAM Act said you should have a chance to become a citizen of the United States, which is, of course, our ultimate goal.

But the DACA Program opened up eligibility, and almost 800,000 came forward and applied. They had to pay a filing fee of \$500 or \$600, go through a criminal background check, but for many of these young people, it was a turning point in their lives. At that point, finally—finally—there was a chance they could stay in the country they called home, the United States of America.

They seized that opportunity and did remarkable things. They enlisted in our military. They went to schools and colleges to pursue an education. They took up jobs as teachers. They finished medical school. They did things that were unimaginable for DACA.

Of course, when the administration changed and a new President came in, there was a real question as to whether he would continue the DACA Program.

The very first time I ever spoke to President Donald Trump was the day of his inauguration, within an hour or two after he was sworn, at a luncheon. What I said to him then—my first words were these: Mr. President, I hope you are going to help those young people, those Dreamers, those protected by DACA.

He looked at me, and he said: Senator, don't worry. We will take care of those kids.

Well, sadly, that didn't happen.

In September of 2017, there was a decision made by this administration to eliminate the DACA Program, and at that point, were it not for a court challenge and a protective order by the court, those young people might have been subject to deportation. But many, myself included, believed that the process used by President Trump was flawed, and, if challenged, it would fall in court. It took from September 2017 until today, just minutes ago, when the Supreme Court ruled that the administration's approach to eliminating DACA was wrong and would be stricken.

I want to say for a moment who these young people are, because many people don't know them. They don't wear badges or uniforms to claim that they are DACA-protected, but this is who they are. Of the 700,000, 200,000 of them

are essential employees. You may see them every day in many, many callings across America as we face this national health emergency.

Over 40,000 of them are healthcare workers. So if you are a patient at a clinic or a hospital today fighting COVID-19 and your doctor or nurse just walked in the room with a big smile, it is because the Supreme Court said to that healthcare worker or to that healthcare hero: You can stay in America. We need you.

Of course, that could change. I want to raise this issue because it is an important one. The Trump administration can decide that they are going to reinstate this effort to rescind DACA and try to do it right this time by the Supreme Court standards. That would be a terrible tragedy if he made that decision, not just for those 700,000 but for their families as well.

The front page story on the Chicago Tribune this morning was about just such a family, both husband and wife protected by DACA, working in America, trying to buy a little home in Aurora, IL. She works in a cancer clinic. He has a job as well. They have two beautiful little kids. They are both DACA-protected. Because of the Supreme Court decision, they have another day in America. They have a sigh of relief this morning, but what about next week? What will the Trump administration do to them next week? I am calling on the President and those around him, begging him to give these DACA protectees the rest of this year until next year at least before anything is considered. Let's protect them now through the election, and let the next President, whoever he may be, make a decision.

I hope before that happens we will do our part in the U.S. Senate, the second part of what we can and should be doing, calling on the President not to rescind DACA again, not to put these young people and their families through this all over again but, secondly, that we do our job in the Senate.

I listened to Senator MCCONNELL earlier, talking about bipartisanship and talking about our legislative accomplishments. He is correct that the lands bill we passed yesterday was historic. I am glad we did it. The coronavirus relief bill we passed is historic. I am certainly glad we did it on a bipartisan basis, and I sincerely hope, when it comes to Justice in Policing, we can do the same—a bipartisan effort to enact good law.

Let me add to the list, which unfortunately doesn't include a lot of legislation, something that is now critically important. The House of Representatives, months ago, passed the Dream and Promise Act, which would take care of the DACA issue once and for all. We could enact that law and say to these young people: Now you have your chance to stay and earn your path to citizenship in America. That is what we ought to be saying.

Everyone knows that our immigration laws are a mess. They are hard to explain and impossible to defend. We have a chance to do something about them on a bipartisan basis, and I am calling on Senator MCCONNELL and all the leaders on either side of the aisle: Let's join together and do that. Let's have a hearing in the Senate Judiciary Committee. Let's bring this bill to the floor of the Senate this year so that once and for all we can deal with the problem we have been looking at for 20 years and approaching in so many different ways.

In the meantime, for today—at least for this week and, I hope, for long beyond that—we will be celebrating a Supreme Court decision that gives a new lease on life to 700,000 young people who have one goal in mind: to be part of America's future. They were educated in our schools. They stood in those classrooms and pledged allegiance to the same flag we pledge allegiance to. They have their children. They have their families. They have their hopes and a future, and they are making a good living with life in the America. Thanks to the Supreme Court, they have some more time, but now it is up to the President and up to us to solve this problem once and for all, to do the right thing for them and for the future of America.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. SCOTT of Florida). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

DACA

Mr. MERKLEY. Mr. President, this morning we received news that the Supreme Court has ruled in regard to our Dreamers, our Deferred Action Childhood Arrival children, who came to America knowing no other country, and now the Court has said that President Obama did have the authority to establish the DACA Program and that President Trump does not have a basis in law for ending it.

Hundreds of thousands of Dreamers now have full legal authority to continue their lives in America—the country they know and love—and pursue their dreams, and we must celebrate that today.

EQUALITY ACT

Mr. President, I come to the floor on another issue of freedom. President Johnson said:

Freedom is a right to share, share fully and equally, in American society. . . . It is the right to be treated in every part of our national life as a person equal in dignity and promise to all others.

It was 1996 when Senator Ted Kennedy brought the issue of ending discrimination in employment to the floor of the Senate. In that year, not so

long ago, virtually everything was simple majority in the Senate, as designed by our Founders, as written in the Constitution. The vote failed 49 to 50 because Senator David Pryor was at the hospital attending to his son, the future Senator Mark Pryor, who had cancer. It was a moment when the Senate nearly took a big stride forward in ending discrimination in employment in America against our LGBTQ community.

Then, in November 2013, I brought to the floor the same bill, ENDA, ending discrimination in employment. This Senate voted in a bipartisan majority to end that discrimination. In fact, the vote was 2 to 1—64 to 32. Yet that bright moment here in the Senate, where we stood for the vision of freedom, was not acted on by the House, and the bill did not make it to the President's desk.

Now we stand here today, in 2020, and the Supreme Court on Monday in *Bostock v. Clayton County*, in a 6 to 3 decision, has proceeded to act to end discrimination in employment. In writing the opinion, Justice Gorsuch said: "In Title VII"—referring to the 1964 Civil Rights Act—"Congress outlawed discrimination in the workplace on the basis of race, color, religion, sex, or national origin."

He wrote: "Today, we must decide whether an employer can fire someone simply for being homosexual or transgender."

Everyone looked to the next paragraph and what would the answer be? Gorsuch wrote this:

The answer is clear. An employer who fires an individual for being homosexual or transgender fires that person for traits or actions it would not have questioned in members of a different sex. Sex plays a necessary and undisguisable role in that decision, exactly what Title VII forbids.

Well, let the bells of freedom ring here in this Chamber and across America. On Sunday of this last week, the day before the Supreme Court decision, discrimination in employment against gay, lesbian, and bisexual Americans was still legal in 29 States—a majority of States in our country—and, on Monday, that discrimination ended. It is now illegal in all 50 States of America, in all territories of America to discriminate on the basis of who you are or whom you love.

The Court took a long, powerful stride toward the vision carved above the doors of the Supreme Court: "Equal Justice Under Law." No longer can a mental health counselor named Gary Bostock be fired from his job at child welfare services department for playing in a gay softball league. No longer can a skydiving instructor named Donald Zarda be fired because he is gay. No longer can a police officer in southern Oregon named Laura Elena Calvo—with a sterling 16-year record of promotions, commendations for pulling people from burning cars, delivering babies on the side of the road, saving lives and more—be fired because she was a transgender woman.

Employment discrimination ends in America. Let us savor that victory for freedom. Let us celebrate that victory for equality and opportunity. It is a long, powerful stride forward on the march for freedom. But a long stride forward in a march, however significant, does not mean that the march is over because, as wonderful as that victory on Monday was, as wonderful it is to have discrimination end in employment across the land, we still have a long way to go before LGBTQ Americans are treated in every part of our national life as people equal in dignity and promise to all others.

The protections on Monday involve employment, but those protections do not extend to the titles of the 1964 Civil Rights Act that address other issues—issues of education, issues of public accommodations—and they don't extend to credit, financial transactions, transactions covered by the CREDIT Act. They don't extend to jury service. They don't extend to Federal funding of programs, meaning it is legal for States to discriminate or cities to discriminate or counties to discriminate on the basis of Federal law against participation in Federal programs. It is unbelievable that we are still in that state, but that is where we are. That is where we are right now, with discrimination ended in employment but not ended in all of these other categories.

There are a couple of possible paths forward. One is litigation that continues on the same premise on which the Supreme Court acted on title VII of the 1964 Civil Rights Act, and that means litigation in each of these categories, case after case, slowly making its way through the courts, slowly making it to the Supreme Court, meaning discrimination continues year after year while the courts deliberate on this.

I have heard a number of Senators say the Court acted, but Congress should have done it. Well, now we have the opportunity to do it. We have the opportunity to do it by putting the Equality Act on the floor of this Senate, putting it on the floor of the Senate today, having a debate today, and having a vote today on whether to extend the very premise at the heart of the Supreme Court's decision in employment to all of the other key areas of discrimination that is still suffered across this land.

Let us put the Equality Act on the floor. Let us debate it. Let us pass it to fulfill the vision Thomas Jefferson put forward when, in the words crafted for the Declaration of Independence: "We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness."

Let us put the Equality Act on the floor of the Senate. Let us debate it, and let us pass it to act on the premise that Senator Ted Kennedy expressed: "The promise of America will never be

fulfilled as long as justice is denied to even one among us."

Let us put the Equality Act on the floor of the Senate and debate it and pass it to fulfill the promise of freedom, the promise of freedom that President Johnson so well expressed in "the right to be treated in every part of our national life as a person equal in dignity and promise to all others."

We have the power to ring the bells of freedom here in this Chamber. Let us not miss this opportunity.

I am so pleased to be here with my colleagues who have fought for this vision of freedom and equality and opportunity—my colleague TAMMY BALDWIN from Wisconsin and my colleague CORY BOOKER from New Jersey, who have been champions in leading this fight—a fight envisioned now by a tremendous number of Senators endorsing and co-sponsoring the Equality Act. Let us put that act on the floor.

I yield to my colleague from Wisconsin.

Ms. BALDWIN. Mr. President, I rise today to recognize an enormous step forward for our country, which happened earlier this week, on Monday. Once again, on a morning during Pride Month, our Nation came closer to realizing the promise of equality for lesbians, gays, bisexual, transgender, and the queer community.

The Supreme Court has made it clear that workplace discrimination against LGBTQ people is wrong, and our Nation's civil rights laws prohibit it. While this is a joyous day and a joyous week, I want to take a moment to acknowledge the untold number who have suffered in this country for years without recourse. I want to recognize those brave LGBTQ people who received pink slips, were passed over for promotions, suffered harassment and bullying in break rooms, or never got that initial interview—all simply because of who they are or whom they loved.

I particularly want to thank the plaintiffs who brought these cases: Gerald Bostock, Aimee Stephens, and Donald Zarda, as well as the families and friends and lawyers who supported them. Sadly, Aimee and Donald did not live to see this transformative moment for our country and our community, but we will remember them and honor the efforts that they and so many others have made to get us here. We will commit ourselves to continuing to push forward for full equality for them.

On Monday, the Supreme Court affirmed what many Federal courts, the Equal Employment Opportunity Commission, and so many of us have recognized for years—that title VII of the Civil Rights Act of 1964 is properly understood to prohibit discrimination based on sexual orientation and gender identity.

As Justice Gorsuch wrote for the majority:

Today, we must decide whether an employer can fire someone simply for being homosexual or transgender. The answer is

clear. An employer who fires an individual for being homosexual or transgender fires that person for traits or actions that it would not have questioned in members of a different sex. Sex plays a necessary and undisguisable role in the decision, exactly what Title VII forbids.

This decision is far from radical, but it is transformative. It means that at long last in every corner of this Nation, in big cities and small towns, LGBTQ people are waking up in a fairer country. They now know that they have recourse if an employer discriminates against them simply because of who they are or whom they love. Employers know unambiguously that they have an obligation in every State to judge all of their employees on merit, not sexual orientation or gender identity.

While we have taken another big step forward—and it is a big step—in the march toward full equality for LGBTQ Americans, we are not there yet. Lesbian, gay, bisexual, transgender, and queer people face discrimination in many more aspects of their lives than the workplace. Our country needs to send the message that treating people unfairly because of their sexual orientation or gender identity is wrong and that it will not be tolerated, period, whether that is while buying a house, going out to dinner, shopping in a store, serving on a jury, or seeking help from a government program.

While the Court told us on Monday that discrimination based on sexual orientation or gender identity is necessarily sex discrimination, those cases were about employment. While I would expect that any administration would now take a long, hard look at its wrong-headed efforts—based on the legal arguments that the Supreme Court has just rejected—to write LGBTQ people out of sex discrimination protections in education, healthcare, and other areas, I do not have confidence that this administration is going to do so.

There are areas of Federal civil rights law, such as those governing public accommodations and Federal financial assistance, which don't even yet prohibit discrimination based on sex. That is why the Senate must take up and pass the Equality Act. Senators MERKLEY, COLLINS, BOOKER, and I introduced this bipartisan measure to ensure that LGBTQ people have the same nondiscrimination protections as other Americans by adding sexual orientation and gender identity alongside all protected characteristics, such as race and religion, to existing Federal laws. It would ban discrimination in a host of areas, including housing, public accommodations, jury service, access to credit and Federal funding, as well as employment.

The bill would also strengthen our civil rights laws by adding protections against sex discrimination to the Federal laws where they have not been included previously, including those addressing public accommodations and Federal funding.

More than a year ago, a bipartisan majority of the House of Representatives passed the Equality Act. Unfortunately, like so many other pieces of legislation that would improve the lives of the American people, it has been ignored by the Senate majority leader and placed in his legislative graveyard.

The Equality Act cannot be ignored any longer by the Senate, and LGBTQ people should not have to wait any longer to enjoy the full protections of our Nation's civil rights laws.

I urge the Senate to build on the Supreme Court's decision and act today to bring our Nation closer to the promise of equality by passing the Equality Act.

Finally, I want to close by acknowledging the extraordinary moment in which our Nation finds itself today. Thousands upon thousands are demanding the country confront racial injustices and systemic racism. They rightfully call for change, and they righteously call for change, and it is my hope that Congress will take an important step in righting some of those wrongs by passing the Justice in Policing Act of 2020 without delay.

We must do so much more, and today I am keenly aware of the Black and Brown LGBTQ people who experience discrimination and injustice in this country—not just because of sexual orientation or gender identity but also because of race or ethnicity.

As we approach another anniversary of the Stonewall riots that sparked the modern LGBTQ movement for equality, I am also mindful of the leadership of Marsha P. Johnson and Sylvia Rivera, transgender women of color, in that historic moment. I hope the brave, courageous legacy of these leaders and the urgent needs of Black and Brown LGBTQ people would inspire us to take another step to strengthen the civil rights for all Americans and pass the Equality Act.

I now yield to my colleague from Michigan, Senator STABENOW.

THE PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Mr. President, first of all, I want to thank my wonderful colleagues for their leadership, Senator MERKLEY and Senator BALDWIN, for not just being on the floor today and speaking out but speaking out every day for introducing the Equality Act, of which I am very proud to be a cosponsor, and for continually standing up for the rights of all Americans.

In 2013, a Michigan funeral director wrote a letter. It said:

What I must tell you is very difficult for me and is taking all the courage I can muster. I felt imprisoned in a body that does not match my mind, and this has caused me great despair and loneliness.

She told her coworkers, from now on, she was choosing to live her truth; from now on, she would be living and working as a woman. Unfortunately, she paid dearly for her courage, and 2 weeks later she was fired.

That woman was Aimee Stephens of Redford, MI.

This week, Aimee's courage literally changed history—literally changed history. In a 6-to-3 decision, the Supreme Court ruled that what happened to Aimee was illegal. It was illegal. Period. Employers cannot fire or otherwise discriminate against employees simply because of who they are or whom they love. Period.

Sadly, Aimee didn't get to celebrate the landmark victory, and we all wish she were here right now to be able to join and lead the celebration. She died last month at age 59. She will go down in history as someone who took a stand for equality, for basic fairness, and made our Nation a better place. So many people have joined her in this fight, getting to this victory.

It is now time to further honor her courage and the courage of so many others by passing the Equality Act, and we can do it today. That is the good news. Right now, on the floor today, we can do that together. What a great way to end this week; this month of June, this Pride Month. What a great way this would be.

The Equality Act is pretty simple. It protects people against discrimination based on sexual orientation or gender identity in all aspects of their lives. Unfortunately, this legislation, as my colleagues have said, which has already passed the House, has been sitting on MITCH MCCONNELL's desk gathering dust for nearly 400 days—400 days since the House of Representatives took action. It is time to shake off that dust and get this thing done for Aimee and for everyone who has fought alongside her and continues to fight today to make our Nation a more equitable place.

Now, our Republican colleagues, however, are more interested in pushing through extremist judges who have no interest in LGBTQ equality.

Later today and next week, we will be voting on two judicial nominations—Justin Walker and Cory Wilson. It is, frankly, insulting that these two nominations are even coming to the floor—insulting to the American people that they are coming to the floor.

Justin Walker's nomination is opposed by 275 outside groups, including the Leadership Conference on Civil and Human Rights and the National Center for Transgender Equality.

As for Cory Wilson, he supports H.B. 1523, the so-called Protecting Freedom of Conscience from Government Discrimination Act, and that would give broad permission for people and businesses to deny services to people based on sexual orientation and gender identity.

Both of these nominees—both of them would overturn the Affordable Care Act, which has made lifesaving differences for so many members of the LGBTQ community and Americans all across our country.

Justin Walker wants the courts to throw out the entire Affordable Care

Act, including protections for people with preexisting conditions. He called the Supreme Court decision upholding the ACA “indefensible and catastrophic.”

Millions of people get their healthcare through the Affordable Care Act. Everyone who has an insurance policy is able to do that and get covered, even if they have a preexisting condition, because of the Affordable Care Act.

Cory Wilson used even more colorful language. He called the law “illegitimate and perverse.” Providing people healthcare he thinks is perverse, and this is somebody the Republicans are going to put on the court.

He even opposed expanding Medicaid coverage in Mississippi, a change that would literally save lives in the middle of a pandemic.

We know what we need to do because Aimee showed us. We need to pass the Equality Act now—today. We can do that today. Wouldn't that be wonderful, on a bipartisan basis, to pass this today?

We need to vote no on two judicial nominees who are far out of step with the basic American ideals of equality and fairness.

Aimee Stevens was courageous. Four hundred days is way too long for millions of Americans to wait for the U.S. Senate to step up and do its job. It is time for all of us to truly stand up for equality for the LGBTQ community and set the foundation that we believe in equality for all Americans.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, before she leaves, another good idea from Senator STABENOW—pass the Equality Act today. Too logical, I guess, but it is another good idea, and I thank my colleague for it.

I also want to commend my partner from Oregon, Senator MERKLEY, who has been leading this fight for years now. Wisconsin often partners with Oregon, going all the way back to our shared ownership of Wayne Morris. I just want to thank my colleagues for the great work they have been doing and just take a couple of minutes to talk about my pride in standing with them to fight for the passage of the Equality Act.

We have come together during the middle of Pride Month. In 2020, with the pandemic continuing to spread, Pride Month looks a little different than it has in the past—no parades, smaller celebrations—but it still has been a historic month when it comes to LGBTQ rights, perhaps more so than any other since marriage equality became the law of the land in June 2015.

A few days ago, the Supreme Court ruled that the Civil Rights Act of 1964 protects LGBTQ Americans against discrimination in the workplace. The majority said an employer who fires an individual merely for being gay or transgender defies the law.

Now, this ruling was a little bit of a surprise. I mean, it was absolutely correct in that it recognized that the law offered equal protection for LGBTQ Americans—a fact that should never have been in doubt.

I also want to say on the floor today we are going to have to continue to be on guard that this administration's judges will use the approach underpinning this ruling as cover to strip equal protection from other people in future rulings.

When you get the wrong approach resulting in the correct ruling, we have to be vigilant—vigilant, vigilant, and more vigilant in fighting for the correct results again and again and again.

The ruling came just a few days after the Trump administration tried to take America in exactly a different direction, announcing that it was green-lighting healthcare discrimination against transgender Americans—an ugly, shameful action to take. How cruel that the administration actually said: We are going to announce this during Pride Month. We are actually going to use Pride Month to be cruel.

It was a reminder to a lot of people that the fight for LGBTQ rights didn't end with the victory on marriage equality. For every landmark ruling that moves the cause forward, there is somebody like Donald Trump, who is always looking to see if they can drag the Nation back to the days when discrimination was business as usual.

Until Monday's ruling, employers in more than half the States were allowed to fire employees for their sexual orientation or their gender identity. That was in more than half the States, but that injustice is now a thing of the past.

We can't count on this week's Supreme Court ruling against workplace discrimination to bring on the end of discrimination in other parts of life in our country. The Senate can't wait for any other court cases to move forward before we take real action on this floor. That is why my colleagues and I are here today. We want to call for the immediate passage of the Equality Act. If discrimination against LGBTQ Americans is illegal in the workplace, then it is illegal in housing; it is illegal in education; it is illegal in public services and more. That is what the Equality Act is all about. It is about recognizing the dignity and the humanity of LGBTQ Americans, and, most importantly, enshrining it into the law. It is the next step that will move the cause forward, and there is bipartisan legislation that reflects the will of an overwhelming majority of the American people. The Senate ought to come together and pass it now.

Justice Kennedy wrote—and I will close with this because it sums up what is in my heart today, “The Constitution promises liberty to all within its reach.”

There is much to be done on delivering on that promise outlined by Justice Kennedy. So we are going to be

back here on the floor of the Senate, fighting for the passage of the Equality Act. Senator STABENOW was spot on. We ought to have done it today, and we are just going to be back here again and again and again in the weeks and months ahead until we have that promise of equality in every corner of the land.

I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. BENNET. Mr. President, I want to thank my colleagues from Oregon, Senator WYDEN, for his remarks; Senator MERKLEY, for his leadership on the bill; and Senator BALDWIN from Wisconsin, for her extraordinary leadership and service to our country.

It is a great privilege to be here today. My friend CORY BOOKER from New Jersey has been fighting for these issues for his whole career. Who knows, as I know, that anyone who studied the history of our democracy knows it has always been hard to make progress. This struggle has always been a battle of our highest ideals and our worst instincts as a country.

It has been true since our founding, when the same people who wrote that “all men are created equal” also perpetuated human slavery and denied equality to so many others. In fact, I don't think it is too much to say that our history is a story of our struggle with that contradiction between the promise of equality and the reality of inequality in America—between our highest ideals and our worst instincts. We struggle with that today.

Since he took office, over and over, President Trump has called on our worst instincts in almost everything he has done, including his attacks on access to healthcare, housing, and education for LGBTQ Americans.

Just last week, he went out of his way to strip transgender Americans of their access to healthcare, but just as President Trump was depriving hard-won rights, dragging us backward again, in Colorado, on the very same day, our State legislature passed a law to make it harder to wage violence against LGBTQ people in my State.

And listen to this: The vote was 63 to 1 in the Colorado House. It was 35 to 0 in the Colorado Senate.

Notwithstanding President Trump's anti-civil rights, anti-civil liberties agenda, in Colorado—a Western State, a purple State—Republican and Democratic elected officials, in their legislative season, are fighting for our highest ideals and rejecting our worst instincts.

In fact, my State passed our version of the Equality Act over a decade ago. It is why we banned conversion therapy and passed Jude's Law, which makes it is easier for transgender Americans to change their name and government documents. It is how we have elected our State's first openly gay Governor, Jared Polis, and our first transgender State legislator, Brianna Titone. It is why we were one of the first States in

America, I say to my college from New Jersey, to pass real accountability for police brutality with a bill led by Leslie Herod—Colorado's first LGBTQ State legislator of color. This week, we passed that bill 52 to 13 in the House and 32 to 2 in the Senate. It contains many of the same reforms that Senator BOOKER and Senator HARRIS are leading on here.

So I am here to tell you that there are more and more in Colorado and in the country who understand what equality has come to mean in America and how to resolve some of these contradictions in the year 2020, and, this week, even the U.S. Supreme Court seems to understand it.

Just in the last week, a Republican-appointed Justice rejected Donald Trump's arguments and wrote for a majority of the Court, affirming equality for LGBTQ Americans. Then, this morning, the Court overturned President Trump's malicious attack on Dreamers, reaffirming the rule of law and, for the moment, protecting three-quarters of a million people who know no other country but the United States of America.

Now it is time for the Senate to do our work, finally, and pass the Equality Act. The House passed the Equality Act 13 months ago, and we have not acted in our typical fashion. That is another 13 months when LGBTQ Americans could get married on a Sunday and be fired on Monday, another 13 months when our neighbors could be denied housing, denied healthcare or be turned out of a store because of who they are.

Americans understand that no good comes from hoarding freedoms and equality. When we take the opposite view, we act against our traditions. As a nation, we will never flourish if we choose to depend on a permanent underclass that is deprived of some or all of the rights and freedoms others enjoy. Free people do not remain free by denying freedom to others. We should vote on the Equality Act and pass it today.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I join my colleagues today, in the middle of Pride Month, to celebrate the Supreme Court's landmark decision this week in *Bostock v. Clayton County*, protecting LGBTQ rights and protecting people from discrimination in the workplace, and to urge all of our colleagues to secure and extend those protections by passing the Equality Act.

Something else big happened in the Supreme Court, and that was today, with the Supreme Court's decision on DACA, on Dreamers—allowing them to stay in this country and asking the administration to open up the application process for citizenship. That is relevant because it is about civil rights, but it is also relevant because the Supreme Court—this conservative Court—has

had to step in because this body has not been doing what it should have been: passing the Equality Act and passing comprehensive immigration reform. So let us remember that as we celebrate the decision in the *Bostock* case and as we move toward equality.

I thank Senators MERKLEY, BALDWIN, and BOOKER for their leadership on this important bill and for bringing us together today.

Over the last few decades, we have made progress in the fight for equality. We have stood up for what is right, and we have worked hard to make this a country in which people can safely, proudly, and legally love whom they love. It was not long ago when a person could be prosecuted for being gay and when don't ask, don't tell was the law of the land—when I came to the U.S. Senate—and when States were permitted to deny LGBTQ couples the right to get married under the Defense of Marriage Act.

This week, our country took an important step forward with the Supreme Court's decision that recognizes that the Civil Rights Act of 1964, which prohibits employers from firing employees because of sex, protects LGBTQ people in the workplace.

We can celebrate today that justice was delivered for Aimee Stephens, who was fired when she informed her employer that she was transgender, and for Donald Zarda and Gerald Bostock, who were fired when their employers learned they were gay.

But, of course, this is more than about three people. As Mr. Bostock said, "This fight became about so much more than me." Their courage to stand up in the face of injustice will forever change this country for millions of LGBTQ people and their families, and it makes our country a more just nation.

Although the Court's decision is a landmark victory, we still have miles to go because it is not right when the Commander in Chief tells brave transgender Americans who want to serve and protect our country in our military that they are not welcome; it is not right when this administration is trying to take away the hard-won rights of LGBTQ people in healthcare and education; and it is not right that you can drive across the United States on a cross-country trip and find that the laws and protections could be different at every rest stop.

That is why I was proud to cosponsor, on the day it was introduced, the bipartisan Equality Act with my colleagues who are here today, and it is why I am calling on our colleagues across the aisle to pass this bill.

This bill, which already passed the House by a vote of 236 to 173, will go a long way in protecting LGBTQ Americans from discrimination. The Equality Act would build on the Supreme Court's decision and make non-discrimination protections consistent and explicit. It would amend laws like the Civil Rights Act, the Fair Housing

Act, the Equal Credit Opportunity Act, and Federal employment laws to ensure that all Americans, regardless of their sexual orientation or gender identity, have equal access to housing, education, and federally funded programs.

We should not wait any longer to extend these protections, for nearly two-thirds of LGBTQ Americans report experiencing discrimination in their personal lives. These problems are compounded by race and income, especially for trans women of color. Yet it has been over 1 year since this bill passed the House.

In 2000, when I was the county attorney in our largest county in Minnesota, I was invited to the White House to introduce President Bill Clinton at an event to urge the passage of hate crimes legislation. We had had an African-American young man who had been shot by a guy who had said that he had wanted to go out and kill someone on Martin Luther King Day. That happened. We had had an employee who had gotten beaten with a board by the foreman at his workplace for his simply speaking Spanish. I had taken on a number of these crimes, so I had been invited by the President to urge Congress to pass the Matthew Shepard hate crimes legislation, which covered a wide range of hate crimes.

During that event at the White House—my first time ever there—I got to meet the investigators in the Matthew Shepard case. They were these two burly cops from Wyoming, and they talked about the fact that until that investigation—I think Senator BALDWIN is nodding her head and has probably met them as well—they really hadn't thought about what Matthew Shepard's life was like or the lives of other LGBTQ people. Then, as they started to investigate what had happened—and we all remember how he was left hanging on a fence post, and the first people who saw him thought he was a scarecrow—these investigators, these police officers, got to know the family and the case. They got to know his mom, and they got to know his friends. During the course of their investigation, as they began to understand what life was like for Matthew Shepard, their own lives were changed.

I think this is happening right now around this country after the murder of George Floyd in my State, and I know it has been happening when it comes to our LGBTQ community. That is why, on that day way back, we were in the White House to introduce that bill. Nearly 10 years after that event at the White House, during my first year as a U.S. Senator, I got to be one of the deciding votes to finally pass that hate crimes bill.

So I say to my colleagues who are fighting for justice, who are fighting for justice in policing, who are fighting for justice in our LGBTQ community, who are fighting for justice for our immigrants, the change will happen, but we can't wait 10 years for this change to happen. The people of this country

are demanding that it happen now. We need to come together and finally pass the Equality Act and do all of these other good things that are right here, that are right on our desks. We should do them immediately—not next year—and not wait. Now.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. BOOKER. Mr. President, I thank my colleagues who are here and for all of the work that has been done around the Equality Act, not just here in the Senate but also in the House of Representatives.

I want to make this very clear. You look at history, and you see that the fundamental equality of all Americans has been denied for so many generations—for women who fought for equality under the law and the right to vote; for African Americans, who fought for equality under the law. We have seen from our founding they have struggled to make real the promise of this Nation—a promise of an ideal that we are all equal under the law.

Our Founders—these imperfect geniuses—enshrined these ideals. This Nation was not founded in perfection but in aspiration. The very Founders themselves referred to Native Americans as savages. They talked about women as not being equal citizens. They denied African Americans full and equal citizenship. Yet these aspirational documents were so profound that every generation of Americans has called to our founding ideals to overcome the inequality that has been inherent in our country.

Susan B. Anthony called to the founding documents for her equality and the equality of women. Martin Luther King, on The Mall, called to that check—to that promissory note—that it was time. Yet here we are, in the year 2020, still calling for the full equality of all American citizens when it comes to lesbian, gay, bisexual, and transgender Americans.

I think back to my own family—to my grandparents and great-grandmother—who talked about the excuses that were used to deny them equality. There were religious excuses. I am a big believer in religious freedom, but people sought to deny Blacks and Whites from marrying. In fact, when *Loving v. Virginia* passed, the majority of Americans were still against interracial marriage in this country. Somehow, people were using religion as a shield from establishing the fundamental ideals of this country. We overcame that.

These types of reasons were given for the dehumanizing treatment of Native Americans, and these kinds of excuses were used to justify the segregation of African Americans. In every generation, we fought and we struggled and we came together—multiracial, multi-ethnic, diverse coalitions—to overcome this.

This week, I was so grateful to see the decision of the Supreme Court, but

I was of mixed feelings about it. Why would it take an action of the Supreme Court to justify what already is—equal humanity? equal dignity? Why would it take so long for a country to say: “In this Nation, a majority of States cannot discriminate against you. You cannot be fired just because of who you are?”

I hear the echoes of my own ancestry growing up in a country in which children were told and saw clearly before them laws enshrined that were bigoted and biased; that they were not equal citizens, and even though, when we stand up in our grade schools, we have to say those words “liberty and justice for all,” what does it mean to a child who is denied those things?

I see us in a country now in which we are raising children who are in danger. LGBTQ kids are almost five times as likely as their straight peers to attempt suicide. LGBTQ kids—about 30 percent—admit to missing school because of being in fear for their safety. This is in America in 2020. Black trans women are dying at unacceptable, unconscionable rates. I say dying. They are being murdered. There have been 15 transgender or gender nonconforming people who have been murdered, and last week alone, two transgender women were killed—Dominique Fells and Riaha Milton.

We have work to do in this country to establish the fundamental ideals that have been said from the founding of this country that we will all be equal under the law, the fundamental ideals from the founding of this country that we are a nation of liberty and justice for all.

Here we are at the crossroads of history, forcing our fellow Americans to come and ask for what is fundamentally theirs already—equal dignity, equal rights. The Equality Act is too late already. It is too late to do what was preordained by the very founding of this Nation. We are too late already to save the lives of children who have been forced to live in a nation that doesn't recognize their equal dignity. We are too late already to protect the shame of people who have been fired just because they are gay, who have been denied accommodation just because they are gay—the humiliation of which, I dare say, so many in this body know from their families' stories.

So we come here to the floor to ask for what is overdue, to ask for us to establish in law what is true in the spirit of this Nation, and to echo the words of our ancestors, great suffragettes, great civil rights leaders, great Native Americans, who have all come to this Capitol to say: This is who we are—equal citizens under the law.

To my colleagues who are with me today, I tell you that, no matter what happens with this unanimous consent, justice will come to this country. No matter who stands against this Equality Act, they stand on the wrong side of history, on the arc of the moral universe, but it bends toward justice. Well,

it never bends automatically. We need some arc benders. For too many people in this country, justice delayed is justice denied. So we will not give up. We will not yield. We will not equivocate. We will not retreat. This will become the law of the land.

We have made some steps in the right direction of justice, but we are still in the foothills. We have a mountain to climb, but I know we will make it to the mountaintop. I know that this Nation will fulfill its promise to all of its people and, indeed, become the promised land.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Mr. President, I appreciate the powerful words, the passionate delivery of stories on the defense of freedom, the defense of equality, the advance of justice, and the presentations of my colleagues from Wisconsin and Michigan, my partner from Oregon, my friend from Colorado, the Senator from Minnesota, and Senator BOOKER from New Jersey. Their words speak to the heart of what our Nation is about—equality, opportunity, justice, and freedom.

I will, therefore, ask that we bring this bill about equality to the floor, that we go forward in the great tradition of this Chamber and this Senate to debate issues that involve the opportunity for every individual to thrive in our Nation. Time and again, we have held those debates before. We held them in 2013 on the Employment Non-Discrimination Act.

Now, I understand some colleagues have come to the floor to object to this Senate's entertaining such an important debate. They have come to the floor to obstruct the opportunity of this Chamber to engage in a dialogue on this important issue—so violent to the life of millions of Americans. I ask them to reconsider.

Have the courage to debate this issue on the floor—to bring, in the great tradition of this country, an issue violent to freedom to be considered here.

One colleague responded to the Supreme Court's decision on employment nondiscrimination earlier this week by saying: This judicial rewriting of our law short-circuited the legislative process and the authority of the electorate. Well, let no Member of the Senate today short circuit the legislative process by objecting to this important debate on the floor of the Senate.

On behalf of equality and opportunity and freedom, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of H.R. 5 and the Senate proceed to its immediate consideration. Further, that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER (Mrs. FISCHER). Is there objection?

The Senator from Utah.

Mr. LEE. Madam President, I am reserving the right to object.

There is a single thread that runs through the Supreme Court's decision in the Bostock case earlier this week and all the way through the legislation now under discussion on the Senate floor, and that principle deals with nondiscrimination. It is a principle that, as Americans, we believe that people shouldn't be treated differently on the basis of factors, characteristics, and traits that have nothing to do with their job. I think most Americans can agree with that, and I think most Americans can agree that an individual shouldn't face such discrimination in the workplace based on his or her sexual orientation.

The important thing that we have to remember is that much of where the law is found and much of what we can perceive from a position of justice and equality and fairness relates to where the exceptions are found. I have got two principal concerns with this legislation that are also shared by the Bostock ruling. The first relates to exceptions related to religious employers.

Neither the Bostock decision nor the Equality Act takes the care to ensure that religious employers will be treated fairly under this approach. We need to be mindful of the need of a religious employer to maintain its doctrine and its teachings, not only in the hiring of its ministers but also in the hiring of other people who worked toward moving forward that religious institution's teachings in the way they live their lives, in their beliefs, and in their willingness to teach those things to others. This legislation doesn't do that. I think any legislation that we move forward on this needs to have it.

Secondly, neither this legislation nor the Bostock decision takes into account some significant distinctions between sexual orientation on the one hand and gender identity on the other.

In the case of gender identity, the law needs to take into account certain questions regarding what impact the law might have on girls and women's restrooms and locker rooms, girls and women's athletics, and single-sex safe places for people who are, for example, the victims of domestic or sexual abuse. This law, like the Bostock decision, doesn't operate with a lot of precision and sort of takes a meat cleaver to the issue without taking into account exceptions for religious entities and distinctions between sexual orientation and gender identity. On that basis, I have concerns.

Knowing that I have some colleagues who want to speak to this issue, I decline to object as of this moment.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. HAWLEY. Madam President, reserving the right to object, I would just like to observe that it was just over 20 years ago that this Chamber and the analog Chamber across the way in the House of Representatives passed almost unanimously a statute called the Religious Freedom Restoration Act. It

was sponsored in the House by then-Representative SCHUMER, and it was sponsored in this Chamber by Senator Edward Kennedy, and signed by President Bill Clinton into law, who, upon its signing, referred to religious liberty as our first freedom—those are his words—and he later pointed to the Religious Freedom Restoration Act as one of his proudest accomplishments as President of the United States. Its cosponsors in this body included Senators FEINSTEIN and MURRAY and LEAHY. It was bipartisan is my point, to put it mildly.

Yet, today, this short time on the legislation that is offered on this floor now, that has not gone through the normal process of committee referral, debate on the floor but would be passed now, without any further discussion, guts key provisions of the Religious Freedom Restoration Act. This is coming on the heels of a Supreme Court decision just 2 days ago that rewrites entire statutes in American law and in its 33 pages has nearly nothing to say about religious liberty or religious believers in this country. In fact, the only thing that the opinion does say of any consequence is this:

How [the courts'] . . . doctrines protecting religious liberty interact with Title VII [as rewritten by the court] are questions for future cases.

Now, I respect, very much, my colleagues across the aisle and their passion for this issue and their sincerity in this cause. I would only ask that the rights of well-meaning, sincere religious believers not be steamrolled and overlooked and shifted to the side as part of this process. We should be able to come together and stand together in the effort to see all people be given their constitutional rights and have their constitutional rights protected.

The effects of this bill is forcing taxpayers to pay for abortions, forcing doctors and nurses to perform abortions against their will, and forcing faith-based hospitals and clinics to perform abortions. H.R. 5, this bill here, would supersede existing restrictions on abortion, including funding, including health and safety standards, and other regulations that the States have passed.

It would force faith-based adoption agencies, some of which have been helping birth mothers find a safe and loving and permanent home for more than 100 years—it would force them out of business. It would coerce those who don't want to speak or who hold different beliefs into adopting this set of practices and principles and beliefs at work—these doctors, these nurses, and these faith-based agencies.

I submit to you that this is not the way to find consensus in America. This shunting aside of the constitutional rights of sincere, well-meaning people of faith is not the way to proceed. This gutting of the Religious Freedom Act—and I say that because H.R. 5 explicitly carves out of the Religious Freedom Act, it explicitly carves out of its safe-

ty provisions all of those requirements I just mentioned. It rolls back the liberties afforded to people of faith—all faiths, by the way. One of the beauties of the Religious Freedom Restoration Act is that it covers people of all faiths, any faith, and this bill would roll those protections back. It would do it without the chance for debate. It would do it outside of our normal procedures.

For those reasons, I express these reservations. Again, I thank my colleagues on the other side of the aisle for their work on this issue, their passion for this cause, and their sincerity in what they believe. I hope that we might find a better way to go forward together, but I do not object.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. LANKFORD. Madam President, I am reserving the right to object. No person should be discriminated against in America. No one. It is a basic constitutional principle. We are all equal under the law, all of us. We have different ideas about music and food. We have different ideas about sexuality. We have different ideas about occupations. We have different skin colors. We are the tapestry that we talk about, and we are working to make a more perfect Union. I absolutely believe that no person should be discriminated against in America.

The Equality Act doesn't just make everything equal, though. It has a great title. Who can oppose equality? No one. It is a basic principle of American values. We don't oppose equality, but we do oppose when, through legislation, you take the rights of one and dismiss the rights of others and say: Your rights don't count, only this group counts, and only this person counts. We, in America, have tried to work together, in all of our differences, for over two centuries, to learn better how to hear the rights of another one, to accommodate, and to find those spots where the rights of two individuals collide and to work it out among each other. The Equality Act does not do that. I wish it did. It changes things dramatically.

Let me just give you a few examples. It reaches into high school sports and says for male and female sports, that individuals' sexual orientation and gender identity can move between those. There is no standard for testosterone. There is no standard for moving through transition surgery. There is no standard at all set on it. It opens it up for any male—biological male—to step into female sports on the high school level or in the college level or in the pro-athlete level and be able to move into that sport. That grossly disadvantages girls in sports, but their rights are denied.

We have already seen this in several States where State record holders for track, for instance—someone who was a biological male competing in women's athletics denying the other girls who were competing in that from opportunities for scholarships to college,

to be able to move on to other athletics. Their rights were ignored because these rights were prioritized.

In adoptions, we need more adoption areas. We need more foster care in America, not less. The Equality Act says that if you are a faith-based adoption agency that only places children in a home where there is a mom and dad there, then you either have to change your faith or close. You have no other option. The Equality Act says to that institution: I would rather have fewer adoption agencies in America than have you open.

That is not protecting the rights of all Americans. That is not learning how to accommodate together. Why can't we have adoption agencies that do adoptions in LGBT homes and some that do adoptions that don't? Why can't we have both? Why can't we accommodate both? The Equality Act does not allow that.

The Equality Act treats every job in America exactly the same and says that an individual who is qualified for that job should be able to take that job, regardless of any issue. Let me give you a first example of that.

If you have an individual going through TSA—and what a lovely experience that is for all of us—this Equality Act would say: When your alarm goes off and you have to get the full-body pat-down, a transgender individual could be your TSA person giving you the full-body pat-down. They would be required to not prohibit that.

Now, for some people, they would be like: I don't care. It is a pat-down. I don't care. For other people, it would be like—there is a reason why TSA has done pat-downs of a man for a man and a woman for a woman because there are many people uncomfortable with someone of an opposite gender who does that to them. They just are. Maybe you call them prudes, but we have honored their rights. The Equality Act does not. It ignores their rights and says that you no longer have the right to disagree with this, and you have to just accept it.

It also dramatically changes hiring in America in a way that is unexplored. There is a reason we send bills through committee, not just bring them to the floor and demand that they pass on the same day they land on the floor without going through committee. There is a reason we do that—because this bill changes the way hiring is done in America in a way that has not been tested for everyone.

This adds a new feature to title VII, where it says, in title VII, that you can't discriminate based on race, on sex—that has now been redefined, obviously, by the courts—on religion, all these things. It clarifies. You can't discriminate based on that. But it adds a new phrase on this. "Perception or belief" is the new phrase.

This is how that would be applied in courts. If I go to an interview in a job and I am not hired, I can sue that employer because I perceived they were

thinking I was gay and so they didn't hire me, or—because it applies to all of it—I could, actually, because this does expand this significantly, if I go in to get a job and I am not hired, I could sue them for not hiring me because I perceived that it was because I was a Christian and they didn't hire me. I perceived that it was because I was White that they didn't hire me. I don't have to prove anything. It is based simply on my perception or belief. That is an untested expansion.

Now, this term "perception or belief" is lifted right out of our hate crime statutes, but hate crime statutes, on their face, are all about the motive for it, and you are trying to read into a crime the motive for that crime. Now we are trying to literally read someone else's mind in a hiring situation and to say that I perceived it, so if you don't hire me, I can sue you.

Why are we doing this? That opens up litigation all over the country on every area, not just on this issue of LGBT rights—on every situation and every hiring because it is very expansive. We probably should slow down and look at that before we open that floodgate in America, but this does not.

Today is about demanding that it passes right away. Interestingly enough, as some of my colleagues have mentioned, the Religious Freedom Restoration Act is wiped away in this and ignored. Interestingly enough, the Supreme Court stated just this week that on this issue, Congress should apply this. Let me read what Justices Ginsburg, Breyer, Sotomayor, and Kagan wrote this week, along with Roberts and Gorsuch. They said this:

Separately, the employers fear that complying with Title VII's requirements in cases like ours may require some employers to violate their religious convictions. We are also deeply concerned with preserving the promise of the free exercise of religion enshrined in our Constitution; that guarantee lies at the heart of our pluralistic society.

They go on to speak of we will have a case dealing with the Religious Freedom Restoration Act. The Equality Act, instead, says: No, never mind, Supreme Court. I know that you are concerned about religious freedoms—Ginsburg, Breyer, Sotomayor, Kagan, Gorsuch, Roberts—but never mind. Congress is not concerned with religious liberty like you are.

Come on. Let's work together. We don't want anyone to be discriminated against—anyone. We can do this in a way that accommodates everyone, and then we can actually work toward agreement.

To say it in the words of J.K. Rowling this past week where she wrote, "All I'm asking—all I want—is for similar empathy, similar understanding, to be extended to the many millions of women whose sole crime is wanting their concerns to be heard without receiving threats and abuse."

Let's work together to get equality. This bill does not do it in this form; therefore, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Oregon.

Mr. MERKLEY. Madam President, I am disappointed that my colleagues have come to the floor to stand in the way of a debate, in this esteemed Chamber, over issues of freedom, issues of opportunity, and issues of equality that affect millions of LGBTQ Americans.

What did we hear in their conversation? My colleague from Utah says there is no chance for debate. Has my colleague forgotten that bringing a bill to the floor brings it to debate? Is that such a lost art in the Senate that my colleague thinks debating a bill on the floor somehow squelches debate? It is a mystery to me how one can make the argument that bringing a bill to the floor kills debate.

My colleague from Oklahoma laments there is no committee action. Well, my colleague might be reminded that for 400 days this party has controlled whether or not there is committee action on this bill; that it is the majority that decides whether a committee addresses the issues before it. Is not 400 days of inaction in committee an argument to have the conversation here as a committee of the whole? Isn't that what we are asking for—a committee of the whole to debate these key issues?

My colleagues have also referred to how somehow this bill affects religious rights, and I am taken back through the history of the conversation and dialogue about equality and opportunity in America, how every time we seek to end discrimination, someone says: But wait—religious rights.

Remember that this was the argument against Black and Brown Americans having equality here in the United States of America because their religion said they are not equal and they shouldn't be let in the door and I should have the right to not let them in the door.

I should have the right to discriminate. Isn't that the conversation we heard around the opportunity for women in America to play a full role in our society, that people had a religious foundation for discriminating between men and women? Well, I tell you that this Nation, although imperfect, was founded on a vision that everyone is created equal and has a full chance to participate.

We have worked over hundreds of years to get toward the goal that every child can thrive in America, no matter their gender, no matter the color of their skin, no matter if they are identified as gay, lesbian, or bisexual, no matter if they are transgender. That is the conversation we should be having here.

I feel the injury of a Senate that is no longer a Senate, where people tremble in their seats over the idea of having a debate. What has happened to this esteemed body that that should be the case?

So let us not rest. For those colleagues across the aisle who have said that the Supreme Court shouldn't have acted this week, that it should be the legislature that acts, and yet come to the floor and don't argue—fail to argue—that we should, in fact, act, isn't that obstruction of the legislative process?

I would encourage my colleagues who say that there are important issues to be considered to go to their leadership and say "Let's get the committee that has this bill, the Equality Act, to start doing its job: Hold the hearings; hold the conversation" because to fail to argue that it should be done in committee while you lament on the floor that the committee hasn't acted is certainly an argument with no integrity.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

UNANIMOUS CONSENT REQUEST—S. 3957

Mr. BOOKER. Madam President, I rise today to discuss the Confederate monuments that are in our hallowed Halls of Congress. I would like to make a live UC request, but preceding that request, I want to make just a few very brief remarks.

The National Statuary Hall, where these Confederate statues are in the Capitol, is intended to honor the highest ideals of our Nation. It is intended to honor the spirit of our country and those who exhibited this spirit with heroism, with courage, and with distinction.

It is a rare honor that every State gets to pick two people, out of the entire history of the country, who so exemplify the values, the spirit, and the honor of America. There are only 100 statues—just 100 statues—two from every State.

Between 1901 and 1931, 12—12—Confederate statues were placed in the National Statuary Hall, that hallowed hall. During the vast majority of that same period, from 1901 through 1929, after a vicious period of voter suppression and violence against African-American voters and a stripping *de facto* of their rights, and often *de jure*, not a single African American served in either of the Congress. In fact, the exact same year the first Confederate statue was placed in the Capitol, 1901, was also the year that the last African-American person would serve in Congress for almost 30 years—almost 70 from just the South.

This is a period that we don't teach enough about in our country. It is a period of untold violence of domestic terrorism, of the rise of the Klan and other White supremacist organizations in which, from the late 1800s to about 1950, literally thousands of Americans—about 4,400 well-documented cases—were lynched in this country.

We cannot separate the Confederate statues from this history and legacy of White supremacy in this country. Indeed, in the vast history of our Nation, those Confederate statues represent 4 years—roughly 4 years—of the Confed-

eracy. The entire history of our country hails as heroes people who took up arms against their own Nation, people who sought to keep and sustain that vile institution of slavery, who led us into the bloodiest war of our country's history, who lost battle after battle until they were defeated soundly. The relics of that 4-plus year period, giving this sacred space to these traders upon our Nation, is not just an assault to the ideals of America as a whole, but they are a painful, insulting, difficult injury being compounded to so many American citizens who understand the very desire to put people who represented 4-plus years of treason, the very desire to put them there in an era of vast terrorism, was yet another attempt at the suppression of some of our citizens in this country.

The continued presence of these statues in the halls is an affront to African Americans and the ideals of our Nation. When we proclaim this not just to be a place of liberty and justice for all, but as we seek to be a more beloved nation, a kinder nation, a nation of equal respect and equal dignity, it is an assault on all of those ideals.

I would like to ask for unanimous consent, but before I do so, I would like to yield to the Democratic leader, CHUCK SCHUMER.

The PRESIDING OFFICER. The Democratic leader.

Mr. SCHUMER. Madam President, first I want to thank my dear friend, the Senator from New Jersey.

Our caucus and the American people are lucky to have him as such a champion, not only for this proposal but for all of his work in recent years on legislation related to police reform, racial justice, and so many other issues.

In a moment, my friend will ask to pass a bill that will do something very simple and, indeed, long overdue: It will remove the statues here in the Capitol of men who would rend this country apart by war in order to strengthen, perpetuate, and extend the vile institution of slavery.

There is a movement in America right now that demands we confront the poison of racism in our country. We must do this in many ways, both substantive and symbolic. This bill is just one of many steps we must take to acknowledge the painful history of America's original sin—slavery—and to clarify for all generations that the men who defended it shall hold no place of honor in our Nation's history books.

States and localities are removing Confederate statues in their public parks and municipal buildings. NASCAR has banned the Confederate flag at its events. We will soon debate renaming military installations after Confederate generals. Why should the Capitol, of all places—a symbol of the Union, a place where every American is supposed to have representation—continue to venerate such ignoble figures?

Opponents of the bill will say that removing these statues is akin to forgetting or trying to erase history. No, it is

not. Remembering history is a lot different than celebrating it.

We teach history in our schools and universities and museums. No doubt, the Civil War will continue to merit study, but statues and memorials are symbols of honor, and we need not reserve them for men who represent such a dishonorable cause.

Leader MCCONNELL has ducked this issue and has said that the States should continue to decide who to send to the Capitol. Candidly, I don't think it would be too imposing to ask our States not to send statues of people who actively fought against this country. You know, there is a reason that Connecticut doesn't send a statue of Benedict Arnold to the Capitol.

We have a lot of work to do to unwind centuries of racial injustice embedded in our laws and in our institutions. One of the simplest things we could do is to haul out the statues of a few old racists who represent the very antithesis of the building in which we now stand and the ideals we struggle to live up to. This, my friends, is the easy part.

Let us pass this bill today and send a message to the American people that we are serious about dismantling institutional racism piece by piece, brick by brick, statue by statue, starting with our own House—the people's House—the Nation's Capitol Building.

I yield again to my colleague.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. BOOKER. Madam President, as in legislative session, I ask unanimous consent that the Rules Committee be discharged from further consideration of S. 3957 and that the Senate proceed to its immediate consideration. I further ask that the bill be read a third time and passed and that the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Missouri.

Mr. BLUNT. Madam President, reserving the right to object, let me say that we just got this bill assigned to the Rules Committee. The bill would have the effect of abandoning agreements we have entered into with the States and the States have entered into with us.

I would certainly like to have some time to decide if we should have a hearing on this. I would like to get the opinion of people who are taking similar statues out of the building. I would also like to find out what other States have in mind as their part of the agreement.

The Democratic leader just said that States and localities are removing these statues. Each of these States would have the right to remove this statue, and some are.

This is an agreement with the States. It goes back to 1864. By 1933, Statuary Hall was full, and Congress, again, authorized this program by saying that