

The result was announced—yeas 51, nays 42, as follows:

[Rollcall Vote No. 123 Ex.]

YEAS—51

Alexander	Fischer	Paul
Barrasso	Gardner	Perdue
Blackburn	Graham	Portman
Blunt	Grassley	Risch
Boozman	Hawley	Roberts
Braun	Hoeben	Romney
Burr	Hyde-Smith	Rounds
Capito	Inhofe	Rubio
Cassidy	Johnson	Sasse
Cornyn	Kennedy	Scott (FL)
Cotton	Lankford	Scott (SC)
Cramer	Lee	Shelby
Crapo	Loeffler	Thune
Cruz	McConnell	Tillis
Daines	McSally	Toomey
Enzi	Moran	Wicker
Ernst	Murkowski	Young

NAYS—42

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

NOT VOTING—7

Manchin	Rosen	Sullivan
Markey	Sanders	
Murray	Sinema	

The nomination was confirmed.

The PRESIDING OFFICER. The majority leader.

Mr. McCONNELL. I ask unanimous consent that with respect to the Walker nomination, the motion to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action.

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

LEGISLATIVE SESSION

Mr. McCONNELL. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion is agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. McCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 717.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion is agreed to.

The clerk will report the nomination.

The legislative clerk read nomination of Cory T. Wilson, of Mississippi, to be United States Circuit Judge for the Fifth Circuit.

CLOTURE MOTION

Mr. McCONNELL. I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Cory T. Wilson, of Mississippi, to be United States Circuit Judge for the Fifth Circuit.

Mitch McConnell, Chuck Grassley, Cory Gardner, Lamar Alexander, Richard C. Shelby, Steve Daines, David Perdue, Pat Roberts, Lindsey Graham, Tim Scott, Richard Burr, Mike Crapo, Shelley Moore Capito, John Barrasso, Roger F. Wicker, Cindy Hyde-Smith, John Thune.

Mr. McCONNELL. I ask unanimous consent that the mandatory quorum call be waived.

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

LEGISLATIVE SESSION

Mr. McCONNELL. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion is agreed to.

The Senator from Missouri.

THE JUSTICE ACT

Mr. BLUNT. Mr. President, over the weekend we celebrated Flag Day, when we honor our country's flag as a symbol of unity. It is also a symbol of all of the struggles we have gone through as a nation and the struggles ahead of us.

Harry Truman, whose desk—one of his desks used on the Senate floor—is right here in front of me, once said that Flag Day is also a chance for us to consider what we want the flag to stand for. So I think it is appropriate that we are considering the best way to make sure that the flag stands for all we want it to stand for—and for all of us.

Senator TIM SCOTT has introduced the JUSTICE Act, which would bring us closer to that idea. I was glad to be a cosponsor of the bill. I think this bill has the potential to make a real difference in how we deal with the important and difficult issue of police reform and making sure that our communities are both safe and secure.

You know, you can be safe in the sense that you are not in danger, but people also need to feel secure, meaning they have confidence that they will remain safe and that they will be treated fairly while they are safe.

We need to be sure that all of the people of our country believe that justice can be blind and that it can be dispensed without fear or favor.

Policing, by its very nature, is mostly a local function. There are around 18,000 police departments across the country. Most of the reforms can be made at the local level or the State level.

There are different ways that police systems are structured around the country. There are different levels of law enforcement and how they relate to each other, and I don't think we are

going to do anything effectively in the Congress to impact that, but I think there are some things we can do both in Congress and the administration. I think Senator SCOTT has done a really good job finding what many of those things are and how to make them happen with bipartisan support.

There is a lot in this bill that simply increases transparency and accountability: more reporting so that the Justice Department has an idea of areas where problems seem to arise more frequently and maybe shouldn't; an area of reporting so that a troublesome officer has all of those troubles reported if they have had problems with issues of fairness or constitutional protection; and if that officer is applying at another law enforcement agency, that information should be readily available.

There are two important ways to give people a sense of security. We do that by recognizing that the majority of police in this country are only not a problem, but they do an incredibly hard job, and they do it in an incredible way. It is a job that we have to have. It has to be conscientiously, professionally, and courageously done, and law enforcement officers all over America do it. They get up and do a hard job every day. They run to danger when others run away. It is a hard job.

Frankly, I think the hardest job in America might be the spouse of a law enforcement officer. Law enforcement officers generally have a sense—there are occasions when this isn't the case—but generally have a sense of whether they are in imminent danger or not. The person who cares about them, the person who loves them, wonders all day: What, at this exact moment, is that individual facing, and are they safe?

The problem in policing is there are very few officers and maybe even fewer numbers of police departments where there is a systemic problem. I think if there is a systemic problem in a department, it is hard for that department to solve that problem. Some of Senator SCOTT's legislation helps create the tools they might need to get that done or the tools that we might need, as outside helpers, to say: Here is a department that somebody needs to look at.

His legislation can assure us that for the small group of people in law enforcement who aren't conducting themselves in the way that everybody else in law enforcement does, there is transparency and there is reporting. Things can't be just swept under the rug, and an officer can't go from one department to another without the new department knowing exactly what they are getting.

This legislation sets up more funding to make sure that body cameras are widely available and have to be used if you have them. I think there has been plenty of evidence since 2014, when we had the beginning of the modern body-camera movement, that if you have those cameras on your body and you

have them turned on, the escalation of violence, for whatever reason, happens much less frequently. The police officer knows that camera is on, and the person they are dealing with knows that camera is on, and it seems to make a difference.

Reporting when there are deaths or serious injuries due to the use of force—and those are investigated, I believe, in every department in America, but there is no reason they shouldn't also be reported to see if there is a pattern that involves either an individual or a pattern that involves a department that needs to be looked at.

Sharing records, as I said before, is critically important so that one bad officer doesn't get passed from one department to another.

There are things in the realm of training where this legislation helps officers get training on tactics to deescalate a situation when it gets out of control. Officers want this kind of training. Officers want the kind of training that makes it easier for them to understand that if they are in a situation where mental health is the problem or opioid addiction is the problem or drug addiction is the problem, are they dealing with a real criminal here or are they dealing with somebody who has gotten themselves in a situation in which they need to figure out how to get them in a different and better place.

While we need to move quickly to take up this legislation, I think there are some areas where the administration can act and is acting, based on announcements that were made this week and things that weren't announced this week.

I talked to Attorney General Barr a couple of weeks ago as these incidents began to become more clear in the sense of problems that could be within entire police departments and encouraged him to restore more of the pattern and practice reviews that were part of what the Justice Department used for about a decade. They were in place until November of 2018. I think they need to be back in place.

We know from past usage that they don't have to be used on any situation or every situation, but they can be used. We have seen them used in my State in Ferguson, MO, in surrounding St. Louis County, which had a much bigger department and asked for a voluntary review, and the city of St. Louis, which has a big police department but not as big as St. Louis County in 2014 and 2017. Whether that review was voluntary or even if it involved a consent decree, I think that the case can be made that things happened in those three departments that might not have happened otherwise.

The Attorney General and I both agreed that if you don't have a tool in the toolbox, you can't use it. It is important to see what you need to do to put every tool in the toolbox, even if it is a tool that you have previously taken out and said: Well, maybe we

don't need that any longer. If you don't need it, you don't have to use it. But you are certainly not going to be able to use it if you don't have it.

President Trump took some additional steps that I was supportive of and talked about earlier this week when the Presiding Officer and I were at our leadership stakeout: officers with better tools to deal with mental health, homelessness, addiction issues.

Missouri is one of the eight Excellence in Mental Health States. This is legislation—bipartisan legislation—that I have worked on for several years with Senator STABENOW from Michigan. It allows law enforcement to connect people with the help they need and wind up having them someplace more appropriate than either jail or court.

In fact, the Department of Health and Human Services, in monitoring this program, says that it has led to a 60-percent decrease in jail time. Part of that is, a lot of people don't wind up going to jail because it makes it more possible for people in many of the departments in my State and in others to have a constant contact with that mental health professional. Maybe it is on the iPad that they are carrying with them, where they can get that 24/7 connection with a healthcare professional. It certainly benefits from the training that many Missouri officers have had now in crisis intervention.

In Kansas City, in St. Louis County, in St. Louis city, in Springfield, I have ridden with officers and talked to officers and watched how this happens, and that builds confidence. Senator SCOTT's bill builds the same kind of confidence.

I have heard some of our friends on the other side say: Well, I am for 80 percent of what is in that bill. No, they don't even say that. They say: I am for 80 percent of the bill. Now, what is the difference? Being for 80 percent of the bill means that there are things in it you don't want, but they also say more frequently: No, that bill has 80 percent of what I want in it already.

Well, let me remind our friends how you make a law. Under the Constitution, the House passes a bill, and maybe you like that better. The Senate passes a bill, and maybe the Senate has 80 percent of what you would like to see in the final bill in Senate bill, and then you go to conference. It was taught in every civic school book that every Member of the Senate studied, and we don't do it much anymore.

You can't get to conference unless there is a Senate product. No matter how much you love the House bill if you are a Member of the Senate, you don't get to weigh in on the House bill unless you have a Senate bill that allows you to go to that conference.

This would be the perfect time when Members of the Senate say—and you and I should be listening carefully over the next few days when they say “80 percent of what I want is in that bill or 85 percent of what I want is in that

bill,” particularly, if they—usually, they are not saying “There is nothing in the bill I don't want; it just doesn't have everything I do want.” Well, if 80 percent of what you want is in the bill and the House passes another bill that you like better, maybe you come out of that conference with 90 percent of what you want. If a solution that gets you 90 percent of what you want or 80 percent of what you want is the alternative to zero percent of what you want, if you want to be a legislator, you have to figure out that that is a better path for you to take than the zero-percent path.

It would be tragic next week if the result of the House deliberation and, this month, if the result of the Senate deliberation is that there is no further discussion because everybody has decided that if it wasn't everything they wanted, they didn't want to have the process that we used to call—and the Constitution calls and civic books call—the legislative process.

These are not the first struggles we have faced together as a nation. We have come a long way. We still have a long way to go.

Remember, the Constitution doesn't even promise a perfect Union. It promises a more perfect Union. You get to a more perfect Union one step at a time, not all at once. My guess is, we will always be on the journey toward a more perfect Union.

Senator SCOTT has given us an opportunity to take some of the important steps on that journey and make the Union more perfect than it is right now.

I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

MORNING BUSINESS

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

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

The PRESIDING OFFICER (Mr. SCOTT of Florida). The Senator from Alaska.

AMERICAN ENERGY INNOVATION ACT

Ms. MURKOWSKI. Mr. President, on Tuesday, just a few days ago, I convened a hearing of the Energy and Natural Resources Committee, and we were focused on the impacts of COVID-19 and how this pandemic has impacted our Nation's energy industry. We had a lot of discussions about the impact of COVID on the Nation, on our economy, and I think it is probably fair to say that every facet of our society has been impacted, but it is certainly clear to me as a Senator for the State of Alaska and as chairman of the Energy and Natural Resources Committee that the energy sector has suffered perhaps uniquely and I think acutely.