

This is not a debate about tax policy or transportation policy. It is a matter of the constitutional rights of the American people, and it is truly a matter of life and death.

Unfortunately, Senator SCOTT's bill is deeply and fundamentally flawed. It would not have prevented the death of George Floyd or Breonna Taylor or Ahmaud Arbery or Michael Brown or Eric Garner, and if it will not stop future deaths of Black Americans in police custody, then it does not represent the change that is demanded right now.

#### CORONAVIRUS

Mr. President, on COVID, over the past several weeks, there has been an alarming increase in the number of COVID-19 cases in a number of American States. Florida, Texas, Arizona, and North Carolina continue to report thousands of new cases each day. State officials in Texas and Arizona are warning about the dire number of hospitalizations. Anyone looking at the facts would conclude that we need to figure out what is causing these increases and put measures in place to limit this new spread of the disease.

But President Trump does not look at the facts or try to understand them. Instead, the President is so consumed with his own ego, his own political interests and perception of how he has handled this crisis, that he is actually downplaying the numbers and inventing ridiculous excuses for why COVID-19 cases continue to increase.

At his inadvisable and very poorly attended rally in Tulsa on Saturday, President Trump said that he told his administration to "slow the testing down, please," so the number of COVID cases will not look so bad for him. It is amazing he said that. Don't learn the truth about a serious and deadly disease so he might look better?

He went on to say that testing was "a double-edged sword." Let me break the President's statement down for a moment. By calling testing "a double-edged sword," the President means that, on one hand, testing could be good because it, you know, tells us who has COVID-19, but, on the other hand, testing might not be so good because the more cases make the President look bad. Who thinks like that in a time of a raging pandemic?

White House officials tried to claim the President was joking, but, today, the Vice President denied that they were just in jest, calling them "a passing observation," whatever that means.

Regardless of whether he was serious or not, the President's comments are factually inaccurate. The increase in testing is not responsible for the increase in the number of cases. In fact, the rate of positive cases is going up in many States, which means community spread.

There is a lie sitting at the heart of all of this. President Trump wants Americans to believe that the number of cases is going up because his administration has done such a great job on

testing. The truth is, the administration can't even get around to spending the money Congress has provided for improving testing and tracing.

Senator MURRAY and I sent a letter last week to HHS Secretary Azar, asking him why the administration hasn't disbursed the \$14 billion we gave it to ramp up testing and the tracing capability. This \$14 billion is just sitting there, waiting for the Trump administration to use it to help our country. Senator MURRAY and I are looking for answers. Why isn't the money being distributed when it is desperately needed? What the heck is going on?

It is hard to imagine a more haphazard, less-focused, and less-consistent response from an administration during a national crisis. Whether it is calling COVID a hoax or prescribing bleach or having his ego-driven rally over the weekend, the President keeps reminding us that he doesn't take the COVID pandemic seriously enough. Ironically, the best thing about the President's rally was that so few people attended. Otherwise, the risk of spreading COVID would have been significantly higher.

#### U.S. ATTORNEY GEOFFREY BERMAN

Mr. President, on another matter—there are so many matters and so much trouble this administration is in that it is hard to count, and you would probably need several hours to document and talk about them all—last Friday night, Attorney General Barr claimed that Geoffrey Berman, the U.S. attorney for the Southern District of New York, was "stepping down." A short time later, Mr. Berman revealed that the Attorney General was lying and that he was not, in fact, stepping down. Over the past 2 days, this sordid, ham-handed plot by President Trump and Attorney General Barr to oust a well-respected U.S. attorney played out in public view.

But for Mr. Berman's principled stand, the White House and the DOJ would have subverted the chain of succession in the Southern District of New York to install a pliant U.S. attorney from New Jersey in Mr. Berman's place. Thankfully, due to Mr. Berman's courage, that plan was thwarted, and Mr. Berman's deputy will take over the leadership of the Southern District and continue its important work. She has a fine reputation as a prosecutor and someone of integrity. People of integrity don't seem to be welcome in this administration.

Then the DOJ announced that the President intended to nominate the sitting SEC Chairman, Jay Clayton, to replace Mr. Berman. As the Senator from New York, I will not return a blue slip on Mr. Clayton's nomination. Regardless, Jay Clayton should withdraw his name from consideration and refuse to be an accomplice to this scheme.

There appears to be no legitimate motive to fire Mr. Berman, which leaves the obvious question: Were President Trump and the Attorney General trying to remove him for a

corrupt motive? Was it because Mr. Berman, in the Southern District of New York, was pursuing criminal investigations into President Trump and his associates? The President certainly has a pattern of firing government watchdogs who are investigating his misconduct or that of his associates.

We need an immediate, top-to-bottom investigation into what transpired with the plot to dismiss Mr. Berman. So I have demanded that the Office of Professional Responsibility at the Department of Justice work with the Justice Department's inspector general to determine whether there were corrupt motives for Mr. Berman's dismissal and, if so, discipline the officials involved no matter who they are or how high up they go. These two offices jointly investigated the firing of U.S. attorneys in 2006 during the Bush administration and should do so again.

The Committee on the Judiciary here in the Senate, led by Chairman GRAHAM, must also investigate what happened here, using its subpoena power, if necessary. Senator GRAHAM seems to be investigating President Obama and Vice President Biden with 53 subpoenas. He certainly must have time to investigate a serious problem that has come before us right now. After all, the abject refusal of Senate Republicans to hold President Trump accountable for his assault on the rule of law in the country is what has gotten us here in the first place.

The Senate Republicans refused to stand up to the President when he fired the FBI Director for investigating his campaign. They refused to stand up to the President when he made a national emergency in order to steal funds for the border wall. They refused to stand up to the President when he dismissed not one or two or three but four inspectors general. They also refused to stand up to the President when he tried to bully a foreign power into helping him in his reelection.

Every time the President breaks a window, the Senate Republican majority dutifully sweeps up the glass. Every blue moon or so, a Republican Senator will issue a mild rebuke of the President's behavior or will pen a strongly worded letter, but the response is never commensurate with the offense. As a result, President Trump knows there is no line he can't cross. He and his Attorney General can fire a sitting U.S. attorney without cause, perhaps for investigating criminal wrongdoing by the President or his associates, and the Senate Republicans would hardly bat an eye. Will Senate Republican Senators ever say, "Enough"?

#### NOMINATION OF CORY T. WILSON

Mr. President, finally, today, Leader MCCONNELL will move forward with the nomination of Mr. Cory Wilson to serve as a lifetime appointment on the Fifth Circuit Court of Appeals.

Mr. Wilson is an avowed opponent of the Nation's healthcare law, calling it illegitimate and perverse. Even worse, Wilson has a lengthy record of support

for policies that suppress voting rights in the State legislature, and in the Mississippi secretary of state's office, he pushed for restrictive voter ID laws. He criticized the Voting Rights Act and peddled unproven claims about voter fraud. In 2011, he said the NAACP's concerns about voter suppression in Mississippi were "poppycock."

We are in the middle of a national conversation about police reform and systematic racial justice. Leader MCCONNELL talks about it on the floor, and at the same time, he has the temerity to push a judge with demonstrated hostility to voting rights, a man who criticized the greatest advance in civil rights legislation in the past century, for a seat on the circuit court, in which people of color make up 55 percent of the population.

The nomination is so appalling in general that, at this particular moment, several Democrats, myself included, have taken the unusual step of writing Leader MCCONNELL today to request that he withdraw Mr. Wilson's nomination. I believe, if there is sincerity in the remarks here about healing racial wounds, then the withdrawal of Mr. Wilson will occur, plain and simple. It would be disgraceful for the Senate to approve a nominee who has long trivialized voter disenfranchisement and racial discrimination at the ballot box. Leader MCCONNELL should halt any further work on Mr. Wilson and, instead, work with the administration and civil rights groups to find a nominee who will actually protect voting rights on the Fifth Circuit.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### PROTESTS

Mr. COTTON. Mr. President, "I hope I am over wary, but if I am not, there is, even now, something of ill omen amongst us. I mean the increasing disregard for law which pervades the country, the growing disposition to substitute the wild and furious passions in lieu of the sober judgment of courts, and the worse than savage mobs for the executive ministers of justice. This disposition is awfully fearful in any community; and that it exists now in ours, though grating to our feelings to admit, it would be a violation of truth and an insult to our intelligence to deny. Accounts of outrages committed by mobs form the everyday news of the times."

Now, those are not my words. Those are the words of a young Abraham Lincoln. Sadly, they ring with truth today.

In recent weeks, violent mobs have roamed our streets, defacing and tearing down statues and monuments—in

most cases, with neither resistance from the police nor legal consequences.

On Friday, a mob tore down another statue just a few blocks from here. The police stood idly by and watched as rioters toppled it and set it on fire. One can only assume they were ordered not to intervene by Washington's leftwing mayor.

Here is the thing: Steps were already underway to move that statue lawfully. Washington's delegates in Congress had legislation to that effect. But mobs don't care to negotiate—only to destroy.

The delegate said: I have no doubt I could have gotten that bill through, but the people got here before due process.

It is hard to imagine a more chilling summation of mob rule. As Lincoln knew, the mob threatens not just old statues but the lives and livelihoods of us all. Indeed, the mob threatens civilization itself in many ways.

Most simply, Lincoln knew that mobs inevitably make mistakes and commit injustices. Some may celebrate the destruction of disfavored statues and monuments, but what of the vandals in Boston who defaced a monument to the 54th Massachusetts Infantry Regiment, the first African-American regiment to fight for the Union, whose bravery and skill was immortalized in the movie "Glory"?

What of the outlaws of Philadelphia, who defaced a statue of Matthias Baldwin, a devout, passionate abolitionist?

Mobs don't discriminate between legitimate and illegitimate targets of their destruction. That is because they are mobs.

Lincoln also warned that the "lawless in spirit" will become "lawless in practice" because of mob violence seeing no consequences for crimes.

A mob doesn't stop at statues. Rioters have already torched police precincts and low-income housing in Minneapolis. Churches and synagogues have been vandalized. Next, perhaps the mob will target the homes of police officers, and soon enough the mob may come for you and your home and your family.

As the mob expands its power, Lincoln cautioned that good citizens, "seeing their property destroyed; their families insulted, and their lives endangered; their persons injured; and seeing nothing in prospect that forebodes a change for the better; become tired of, and disgusted with, a Government that offers them no protection."

Mob rule can only serve to demoralize our people and shake their faith in our government and our way of life. As the mob rises, civilization recedes.

Finally, Lincoln observed that "by the operation of this mobocratic spirit, which all must admit, is now abroad in the land, the strongest bulwark of any Government, and particularly of those constituted like ours, may effectually be broken down and destroyed—I mean the attachment of the People."

The final victim of mob rule is the very spirit of civic-minded patriotism

that's necessary to preserve our Republic.

For all these reasons, Lincoln said: "There is no grievance that is a fit object of redress by mob law." We cannot tolerate mob rule, and we cannot allow it to go unpunished.

While local authorities would usually take the lead in prosecuting these criminals, unfortunately, many of them seem unwilling to stand up to the mob and uphold the rule of law. Therefore, I call upon the Department of Justice to bring charges against these mob vigilantes, prosecuting them to the fullest extent of the law. The Anti-Riot Act and the Veterans' Memorial Preservation and Recognition Act can provide legal grounds in some cases; still other Federal statutes may govern in other cases; but there must be consequences for mob violence because if you give the mob an inch, it will take a mile.

Witness the events of just this past weekend, where mobs tore down statues of George Washington and Ulysses S. Grant. When you tear down statues of Washington and Grant, it is not about the Civil War; it is because you hate America. Indeed, these rioters hate America.

In Portland, where they tore down the statue of Washington, they also spray-painted on him the date "1619," a reference to the New York Times's revisionist, anti-American history project. Perhaps we should call them the "1619 riots." After all, the architect of that execrable project said: "It would be an honor."

This hatred for America was nowhere on greater display than in San Francisco, where the mob tore down the statue of Grant. That would be U.S. Grant, commander of the Union Army, whose very initials embody his tenacious, unrelenting approach to war: unconditional surrender.

That would also be President Grant, the political heir of Abraham Lincoln, a statesman who smashed the first Ku Klux Klan, signed the first major civil rights legislation, and presided over passage of the 15th Amendment.

In one famous instance, President Grant sent in the troops to disperse a White mob in New Orleans that was terrorizing the city's Black and Republican residents and had to depose the State's lawful Governor.

Grant had zero tolerance for mob rule. He said: "[N]either Ku Klux Klans, White Leagues, nor any other association using arms and violence to execute their unlawful purposes can be permitted in that way to govern any part of this country."

This was a man whom the great Frederick Douglass eulogized as "too broad for prejudice, too humane to despise the humblest, too great to be small at any point." Yet the mobs still came for Grant.

Some people have been asking: Where is the line? I say: This is the line—the line between mob rule and the rule of law.