

support services in place, our communities wouldn't be more safe; they would be significantly less safe. So rather than cutting funding while those services are being established and strengthened in cities across the country, let's talk about the reforms that make sense.

The most impactful reforms are going to be made at the State and local levels. We can't be a city council for 330 million people. Those responsibilities, ultimately, are born at the local and State level. They are the ones accountable to the voters for the actions they take or don't take at the local level, but we know there is a role for us to play. Much of it has to do with identifying things like best practices, as well as providing money for training and resources. The hiring is done at the local level, officer training is conducted there, and decisions about day-to-day police activities are made there.

During our discussion, Mayor Turner expressed the need for folks in Congress to listen to mayors, and I am all for that. For any law we pass or reforms we make, they will be the ones responsible for implementing the changes we make.

I have been in close contact with my mayors and other officials across the State, and I don't intend for that to stop once we, Lord willing, pass a police reform bill.

This has to be an ongoing conversation between local officials, State officials, and those of us who happen to work here in Washington in the Congress. This conversation is not going to be a brief one. It is not going to be a one-time conversation. This is going to stretch on for weeks and months. Really, what we are talking about is a cultural change as much as anything else.

I want to, once again, thank the men and women in Texas who wear the uniform of our police departments and those who shared with me their ideas and feedback over the last few weeks. It has been incredibly valuable and will become even more helpful as we begin debating the JUSTICE Act this week.

Senator SCOTT, who is leading us on this legislative effort, has done a great job of compiling a broad set of reforms that will improve transparency and accountability. Many of these provisions, as I said a few minutes ago, already enjoy broad bipartisan support.

This legislation, I believe, will go a long way to improve accountability and transparency and deliver real change to communities across the country. I am glad that at Senator SCHUMER's request, Senator MCCONNELL put a bill on the floor before the Fourth of July. That is specifically what Senator SCHUMER called for and exactly what Senator MCCONNELL said he intends to do.

Now that we have the opportunity to turn talk into action, it does sound like our friends across the aisle are getting cold feet. I have been interested to read in the press where some of them said they haven't really made

up their mind whether they will even allow us to get on the bill.

We can't pass a bill that we can't start. Once we start it, they will be given every opportunity to offer amendments to help improve the bill. But shutting it down just out of a fit of pique or overt politicalization does not do a service to the people we are trying to help here: to help our law enforcement officials and to help the general public and people who sense a gap of trust between those officers and the law enforcement community they serve.

Our Democratic colleagues are weighing whether to block us from even considering this bill, one that will be put on the floor, debated and voted on, just as Senator SCHUMER, the Democratic leader, requested. Unfortunately, our friends across the aisle seem focused more on the few differences between Senator SCOTT's bill and the House bill rather than the similarities. This is where I think the 80-20 rule ought to apply. If we can agree to 80 percent or 70 percent or 60 percent, why don't we do that? Why don't we put that in the bank and work on the rest?

The truth is, there are many places where these bills overlap, and there is a lot of room for us to find common ground. In order to do that, our colleagues across the aisle need to do what maybe is not their first instinct and that is to cooperate—that is the only way we get things done here—and prove to the American people that they are sincere in their desire to see us debate and pass effective reforms. There is a difference between doing that and just grandstanding and posturing, but this is not a time to grandstand. This is not a time to posture. This is a time to roll up our sleeves and work together to get things done. We need realistic, resolute, and immediate action in order to repair that broken relationship between law enforcement and some of the community they serve. So I hope our Democratic colleagues will join us in that effort this week.

I appreciate, for one, the hard work and leadership of Senator SCOTT in drafting this legislation, and I appreciate the majority leader, Senator MCCONNELL, for prioritizing its consideration on the floor. I am a proud cosponsor of the JUSTICE Act, and I look forward to voting for this bill when the opportunity comes.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

THE FIRST AMENDMENT

Mrs. BLACKBURN. Madam President, I so enjoyed listening to the comments of my colleague from Texas, and it causes me to think that, yes, we are moving forward with another week, and what we have to realize is that, indeed, our Nation was built on free speech and the premise to have dissent or robust, respectful political debate. That is something that keeps our Nation strong.

To go back and look at the work of our Founders, there was barely a day that went by that they were not having that robust debate, that they were not having those arguments that were really constructive conversations that would say: We are here; how do we go here?

That is how you solve problems. Indeed, that is what Tennesseans are telling me every day that they want us to do: Solve these problems. Let's get ourselves on the right track.

When you look at it and go back and look at the Founders, you see that the debates they had were not superficial. They were not necessarily the bright, shiny object story of the day. They were deep, philosophical debates on issues that were about the future of the Nation they were trying to build. Everything was on the line, and no one kept quiet. They felt as if their opinions were important, and indeed, today, there is a lot on the line when we talk about civility and when we talk about the strength, the core, and the preservation of our rights and our freedoms. Nobody spared anyone's feelings at that point because the stakes were too high and they were focused on freedom.

How did they create a free nation? How did they create it so that it would pass to their children and their grandchildren? Indeed, you can go forward in history and look at the words of Ronald Reagan reminding us that freedom is not something that is permanent. Every single generation—every single generation—has to fight for it.

Madam President, of course, we say an extra thank-you to you and others in this Chamber who have worn the uniform and have served, and we are grateful for that service.

I would state that, in spite of all the strife that our Founders went through, they never wavered from their commitment to building a society that was, in their hearts and minds, a society of the people, for the people, by the people—of the people. It was freer and more Democratic than the land they had left in order to get here.

The First Amendment to our Constitution is more than just a prohibition against government repression. It is a warning against the private attacks on free speech. The success of online discussion platforms is a testament to how much the American people still value the free exchange of ideas.

Don't you love it? In a good conversation with good friends, somebody makes their point, and you make a counterpoint. Then you discuss it, and you have a respectful conversation.

Everyone from political candidates to corporations to the free press has taken advantage of the opportunity to reach those millions of eyeballs that are scrolling through social media timelines and news aggregation services. For a while, it looked as if the system would revolutionize the way we read and the way that we share information, the way we have that debate,

and it did—just not necessarily for the better.

I believe we should always encourage more speech, and when you look at the early days of Twitter and Facebook, it seems that they were on the right track, and we kind of call that the good old days of social media.

Over the past few weeks, we have seen these platforms devolve into a state of all-out war that makes our previous concerns about censorship and speech policing look petty. Liberal activists have deployed against anyone and anything that strays from their preferred narrative. It is the cancel culture in full force. Even more concerning than digital mob rule is the behavior of corporations and platforms caving to these intimidation tactics and selectively policing dissent.

Just imagine what would have happened all those years ago in our founding if one group decided they were going to shut up and quiet another group. What if they had decided that respect doesn't matter? What if they had decided that debate doesn't matter? It is our way or the highway. What do you think would have happened, and where would we be today?

Google and its parent company, Alphabet, have distinguished themselves as the worst offenders. Google is under investigation for potential antitrust violations, but that hasn't stopped them from surrendering to this latest political moment. Last week, Google threatened to kick two conservative-leaning media outlets off of the Google ads platform after determining content found in the respective sites' comment sections violated platform policies. A representative from Google complicated matters by running to the media and insisting that the ban was imposed because the *Federalist* and *ZeroHedge* had both published derogatory comments promoting racial violence. NBC and other news organizations ran with that false narrative, and before you knew it, thousands of voices condemned in unison the speech and opinions of dozens of writers who had done nothing wrong.

They were, as the left likes to say, "deplatformed," which, of course, was the goal. The ease with which Google fell in step with this coordinated campaign to chill speech becomes all the more concerning when one considers that they didn't just threaten the livelihoods of the writers, editors, and graphic designers employed by those outlets. Google employees let their bias—hear that?—Google employees let their bias, not the facts—not the facts, the bias—their bias, the bias that they bring to work with them, the bias of their worldview, which they think is right—they let their bias and their prejudice lead the way and decided that the American people didn't need to see what those writers had to say.

Who told them that they are the speech police? Who told them: Google, you are in charge. You decide what is going to be prioritized on your plat-

form. Google, you go in here, and you decide if this is worthy or unworthy content. It is all up to you. Google, you can subjectively manipulate these algorithms based on what you think.

What we have are Google employees who let their bias lead the way, and they decided that the American people didn't need to see what writers had written because they, the employees' superiors, decided you didn't need to know that. They determined that the speech was dangerous, harmful, and illegitimate. So what did they do? They shut it down before you could browse it.

Just imagine—just imagine—if the Founders had been so brazen in their actions: Let's not have a discussion on that point. Let's just throw it to the side. Let's not hear somebody out. Let's just push them aside. No, they didn't form a clique who said: We are better than you. We are smarter than you. What did those Founders do? They looked at one another and said: We are all in this together. We are here because freedom is paramount in establishing a nation that is a nation of, by, and for the people—all of us. That is the goal.

You know, I think what Google has done is a bold move coming from the same parent company that has allowed YouTube's reprehensible comment section to spiral into notoriety. But if you comment on the *Federalist*, beware. You see, it is not about protecting customers. All they are doing is defending a dangerous and un-democratic double standard.

These incidents are not isolated, and there is no meaningful choice publishers can make to take their business elsewhere because Google effectively controls online advertising. Last year, they brought in \$100 billion in ad revenue. You know, even in this town, \$100 billion is not chump change. That is a lot of money.

This year they are flexing their muscles against competitive conservative outlets just as more mainstream outlets are facing cutbacks and layoffs. I know this body is well aware that Big Tech needs some guide rails to control their approach to consumer privacy, data security, and these increasingly oppressive content moderation policies.

Google is the main player. The majority of searches are done through Google. Is it a monopoly? Pretty close to it. Should it be viewed under antitrust? Worthy of discussion. Right now we are working out the proper strategy to reform the section 230 protections. This is written into the Communications Decency Act that the Googles of the world hide behind when they want to silence you, when they want to shut you down because they do not agree with you. Their bias is against you. Their prejudice is against you. They don't like what you have to say.

In this body we may not agree, but we will fight to defend the right of individuals to stand up and have their

say. The First Amendment says that political speech is—guess what—free speech. The First Amendment says that you, the citizen—remember that line, "of the people." The people have the right to petition their government to seek a change. But, oh no, Google or Facebook—I have to say, I remember the comment from Mark Zuckerberg that Facebook was more like a government than a business.

We have the Communications Decency Act, and there is a section in it called section 230, and that is the section that Big Tech goes and cowers behind when they want to shut you up. Section 230 needs to be reformed. DOJ has said that this is something that is ready for reform. We need to protect free speech. We need to make certain that illicit content is moved off. We need to look at competition. We need to look at the threshold for users—maybe not revenue—but look at a threshold for users and put some guidelines in place. We are dealing with an industry that has moved on to using social pressure to provide cover as they act as judge, jury, and executioner over what Americans should be allowed to know.

If you are researching something online, what do you do? You Google it. You get in that search engine; you go looking for it; and then you look at the things as they come up. Maybe what you are looking for doesn't show up on the first page even though it is something that has been in the news. Why would that be? Oh, prioritization—because Google prioritizes how this information gets delivered to you: if they like it, top of the list; if they don't, bottom envelope.

Today, I sent a letter to the Attorney General, outlining the threat this poses to a free and fair press and calling for a full investigation that examines the company's control over the internet economy. I also encouraged AG Barr to meet with the news publishers who have been harmed by this anti-competitive behavior and learn firsthand about the fear and intimidation tactics activists have weaponized against legitimate journalism.

This can no longer be chalked up simply to bias. The people making these decisions are the most powerful voices in the world, and they have decided that they don't want you to think. They don't want you to challenge the narrative, and they sure don't want you to rock the boat and draw the ire of activists who still don't believe these efforts at censorship have gone far enough to silence conservative voices.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

The Senator from Iowa.

STATE DEPARTMENT INSPECTOR GENERAL

Mr. GRASSLEY. Madam President, I ask unanimous consent to have a letter printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT OF STATE,
Washington, DC, June 12, 2020.

Hon. CHUCK GRASSLEY,
Chairman, Committee on Finance,
U.S. Senate, Washington, DC.

DEAR CHAIRMAN GRASSLEY: Your May 18 letter to the President concerning his removal of the Inspector General of the Department of State has been referred to the Department.

In order to address your concerns as they relate to the Department, the Department is prepared to provide you a briefing with a senior official at your earliest convenience. Additionally, the Department is enclosing its recent letter, on which you were copied, which addresses the reasons for Secretary Pompeo's recommendation to remove the State Department Inspector General.

Sincerely,

MARY ELIZABETH TAYLOR,
Assistant Secretary of State,
Bureau of Legislative Affairs.

Enclosure: As stated.

U.S. DEPARTMENT OF STATE,
Washington, DC, June 8, 2020.

Hon. MICHAEL E. HOROWITZ,
Chair, Council of the Inspectors General on Integrity and Efficiency, Washington, DC.

DEAR CHAIR HOROWITZ: In light of new information disclosed to the State Department for the first time on June 2, 2020, the Department is writing to formally request that the Council of the Inspectors General on Integrity and Efficiency (CIGIE) examine a series of questions related to the conduct of former State Department Inspector General Steve Linick. Specifically, the Department has become aware that Mr. Linick may have hand-selected a potentially-conflicted investigator to look into possible misconduct by his own office and then withheld the resulting report, which noted his own apparent non-compliance with State Department Office of Inspector General (OIG) email policies, from State Department leadership, despite repeated requests for a copy of the report.

In short, the events described below suggest that there may have been a significant breakdown in the typically-rigorous standards of an IG investigation, warranting CIGIE review.

Mr. Linick had served as Inspector General of the State Department since September 2013. On May 15, 2020, President Trump decided to remove Mr. Linick from that position and placed him on 30 days of administrative leave. As described in the attached letter to the House Foreign Affairs Committee dated June 1 (Tab 1), the President's decision to remove Mr. Linick from this position was made upon the Secretary of State's recommendation. This recommendation was based, in part, on concerns related to Mr. Linick's failure to formally refer to CIGIE—as agreed with senior Department leadership in the fall of 2019—the investigation of a leak of a highly-sensitive draft report to the media on September 13, 2019, which was attributed to “two government sources involved in carrying out the investigation.” State IG Set to Recommend Discipline for Trump's Top Iran Hand, *The Daily Beast*, Sept. 13, 2019.

As described in the Department's attached letter, and contrary to that fall 2019 agreement, Mr. Linick instead referred the matter

for review by the Department of Defense's (DOD's) Acting Inspector General—without informing State Department leadership that he was taking a different course. Only after the DOD IG provided its initial findings directly to Mr. Linick in late 2019 or early 2020 did Department leadership become aware that Mr. Linick had hand-selected his own investigator for the matter, outside of the CIGIE process. Mr. Linick then refused multiple requests by Department leadership for a copy of the resulting report. Notwithstanding these repeated requests to Mr. Linick, who reports by law to the Secretary of State, the Department was, for the first time, provided a copy of the March 17, 2020 DOD OIG report on June 2, 2020 (Tab 2) as a result of a request by Congress, nearly two weeks after the President removed Mr. Linick from his position.

Beyond the concerning process that led to the DOD IG reviewing this matter, the DOD IG report itself raises a number of new questions that, together with the Department's original concerns, further substantiate the Department's misgivings with Mr. Linick's performance as Inspector General and merit a review by an independent investigatory body. As we did originally with Mr. Linick, the Department renews its request that CIGIE review these questions.

Breach of Agreed Steps for Investigating a Potential Leak from OIG. Last fall, State Department leadership asked Mr. Linick to refer for review by CIGIE the unauthorized disclosure of a draft inspector general report, which the media attributed to “two government sources involved in carrying out the investigation”. State IG Set to Recommend Discipline for Trump's Top Iran Hand, *The Daily Beast*, Sept. 13, 2019. It was natural to assume that sources involved in “carrying out the investigation” may refer to sources within the State OIG, which—if true—would undermine confidence in the professionalism and integrity of the OIG. Mr. Linick agreed to the request, but the Department learned months later that, instead of formally referring the matter to CIGIE, Mr. Linick asked the DOD Acting Inspector General to review the issue. In other words, Mr. Linick failed to inform Department leadership that he had hand-picked another IG to investigate potential misconduct by his office and that he had deviated from the clear course agreed upon with leadership.

Following the completion of a draft report by the DOD Acting Inspector General in late 2019 or early 2020, Mr. Linick briefed Department leadership on certain findings but refused to provide the written report, or even a written summary, to Department leadership for review, raising further concerns about the fairness of the process followed. As of the time of Mr. Linick's removal, the Department had still not received any documented findings on the matter. By contrast, an appropriate referral to CIGIE would have produced a final report that Department leadership could review and assess whether there may have been inappropriate conduct in Mr. Linick's office.

Potential Conflict of Interest in Choice of Investigator. The person whom Mr. Linick asked to review the matter, outside of the CIGIE process, was then-DOD Principal Deputy Inspector General Glenn Fine, who at the time was the DOD's Acting Inspector General. This was an unusual choice because Mr. Fine appears to have been a fact witness, potentially one with knowledge of information relevant to the subject of the investigation described in the report. Specifically, the DOD OIG report notes that Mr. Linick said that he “spoke about the evaluation report” with Mr. Fine before the media leak occurred. If Mr. Fine himself had confidential information about the draft report before it

was leaked, it raises serious questions as to whether it was appropriate for him to lead the investigation into the subsequent leak. It is unclear whether Mr. Fine was even interviewed in the course of the investigation. Allowing a fact witness to an investigation to shape the terms of the investigation—let alone lead the investigation—seems inappropriate. At a minimum, the choice of investigator in this case raises material concerns about whether the report itself represents a complete and adequate investigation of potential misconduct within the State Department Office of Inspector General.

Limited Investigation. As noted above, the Department finally received a copy of the DOD Acting Inspector General's report on June 2, 2020, and following the Department's review, the Department has identified a number of concerns as to its scope. For example, the report notes that Mr. Linick himself “asked the DoD OIG to conduct a *limited inquiry* into whether any DOS OIG employee was the source of the unauthorized disclosure.” (emphasis added). The DOD OIG conducted personal interviews, in which all interviewed staffers “said they did not release any information in the report to the media.” The DOD OIG also reviewed official email accounts and found that no employee directly sent an email from their State Department email address to the news media, other than the communications director.

However, the scope of this review appears to have been exceedingly cursory, and the report itself indicates that the scope of the investigation was by design “limited.” It is also unclear whether it was appropriate for Mr. Linick, as a fact witness to the investigation, to dictate the “limited” scope (rather than a “full” scope) given the significance of the leak. It is hard to imagine that an OIG or CIGIE would, in the course of its normal investigations, allow possible fact witnesses or interviewees to influence the scope of the investigation. Moreover, merely asking an interviewee if he/she directly transmitted the leaked documents and asking only about emails from official accounts would catch only the most blatant mishandling of information and would fail to uncover any person who disclosed the draft through an intermediary or sent the report from a personal email address. Further, the DOD IG does not appear to have questioned whether any interviewee had knowledge of who may have improperly disclosed the report or engaged in other questioning aimed at discovering the true source of the leak.

Use and Concealment of Improper Email Practice. The DOD OIG report identifies a concerning email practice used by Mr. Linick. The DOD OIG found: “IG Linick sent a password-protected, draft version of the evaluation report in question to his Gmail account eight times over six days in August 2019. On one occasion, he emailed a password-protected draft of the evaluation report from his Gmail email account to his government email account.” As the DOD OIG report notes, this usage appeared to contravene the State Department OIG's own policy: “Use OIG provided equipment and systems/applications at all times, including OIG email, to conduct official OIG business. The use of corporate or personal equipment, systems/applications, to include to email, or other file storage sites to store, process, or transmit OIG or Department data is prohibited.” State OIG Information Systems Rules of Behavior. Mr. Linick clearly should have followed his own organization's specific information security policies—particularly involving a draft report on a highly-sensitive personnel issue.