

are turning their heads to Washington, to the Capitol, and saying: What can you do to make sure that something like this never happens again?

We have a bill that addresses all of these issues, a bill that is ready to come for a debate. Yet, again, the Democrats are threatening and are likely tomorrow to vote one after another after another to go up and vote no to even beginning debate on the bill.

Incredibly, they began knocking this bill authored by Senator TIM SCOTT of South Carolina with many of us as original cosponsors—they began knocking this bill before they ever read it, before they knew what was in it. They attacked it before it was released. While the bill was still in the process of being written, they were attacking it. Then Senator TIM SCOTT unveiled the legislation, and almost immediately the Democrats decided to agonize over whether to block it. They were agonizing over allowing a debate on the floor of the U.S. Senate—agonizing over a debate. I mean, you could hear them in the halls: I don't know. Should we get on it? Shouldn't we get on it?

What was the issue? Racial justice. We need to be focusing on that and discussing it and passing meaningful legislation that will make measurable progress. It shouldn't be a tough call.

Senator SCHUMER came and said: We should have a bill on the floor by July 4. Here we are; it is before July 4. We brought the bill. It has a 70-percent overlap and agreement with what the House has to offer.

Here we are, yet Senator SCHUMER is telling his Democrats to line up, one by one by one, and say: No, we don't want to debate or even discuss your bill even though it has a 70-percent overlap in agreement with what the House of Representatives is offering as a meaningful solution to a concern that all of us have.

I don't say this often, but Senator SCHUMER ought to listen to NANCY PELOSI because the Speaker knows we are not that far apart. The Pelosi and the Scott bills share many of the same goals—much of the same underlying legislation. Senator SCOTT says that they agree 70 percent of the time on the issues. At one point, Speaker PELOSI said that she would love to go to conference with what we have going on in the Senate. The Wall Street Journal, last Wednesday, published a chart, and it showed just how similar the two bills are—the JUSTICE Act in the Senate and the bill that the House is working on as well.

The Scott bill ensures that both African-American communities and law enforcement communities are protected. This is precisely why the JUSTICE Act can and should become law. Without a doubt, this is our Nation's best chance for change—best chance in 25 years. It is the best chance to put the 1994 Biden crime bill in the rearview mirror. It is a chance to pass meaningful reforms and a chance to make a law that actu-

ally makes a difference—a difference in communities all across the country and in the lives of people all around America.

So Democrats will be asked to vote tomorrow, and they have a choice to make. They can continue to filibuster, to say "No, no, no, we don't even want to get on the bill to debate it" or to offer amendments to improve upon it, to look for common ground. Or they can do what apparently they want to do, which is to continue the status quo, which is not what we need in America today. They ought to be embracing bipartisan reform.

The JUSTICE Act is not—as one Democrat on this very Senate floor sadly described—a token. That is what he said on this Senate floor. This reform bill is serious. This reform bill is significant. This reform bill is substantial, and we should pass it. At a minimum, we should at least debate it on the floor of the U.S. Senate.

Democrats plan to filibuster simply debating the bill. They should be held accountable by the very American people that they claim they are looking to help—claim they are looking to help. Well, they have an opportunity to help all American people when we vote tomorrow.

So I urge my Senate Democratic colleagues: Do not filibuster this historic bill. This is a wonderful opportunity to move our country ahead. We can build on the progress of the last 4 years—opportunity zones, permanent funding for historically Black colleges and universities, the FIRST STEP Act. Let's build on this record. Let's debate it. Let's amend it as we see fit, and then let us pass the JUSTICE Act and send it to the conference committee that Speaker PELOSI talks about, and then send a bill to the President of the United States and have it signed into law and help our country move ahead.

Thank you, Madam President.

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. ALEXANDER. 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 Tennessee.

Mr. ALEXANDER. Madam President, I ask unanimous consent to speak for as much time as I may require.

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

PROTESTS

Mr. ALEXANDER. Madam President, the late historian, Arthur Schlesinger, Jr., said this: "Self-righteousness in retrospect is easy—also cheap." The late Samuel Huntington, who was a Harvard professor of U.S. history and politics, wrote, in effect, that most of our politics is about setting great goals for ourselves—we, the American people—and then the struggle we have

with the disappointment we feel when we don't reach those high goals, like "all men are created equal."

Ben Hooks, who was from Memphis and a well-known citizen of our State and a good friend and once president of the NAACP, used to tell his students at the University of Memphis:

Remember that our country, America, is a work in progress. We've come a long way, but we have a long way to go.

It is in light of those three comments that I would like to discuss the effort that some people made last night to tear down President Andrew Jackson's statue in Lafayette Square across from the White House.

I believe it is always appropriate to review the monuments and the places that we name to see if there is a more appropriate name in the context of today's times. For example, in this Capitol, every State has two statues. From Tennessee, it is Andrew Jackson and John Sevier.

Senator BLUNT, who is the chairman of our Rules Committee, tells us that, at any given time, some of those statues are in rotation because the State of Mississippi or Tennessee or Oregon or some other State may have decided, instead of those two individuals, we would like to send up another statue. We would like, in the context of today's times, to name somebody else.

As we think about statues that are already named for generals in the Confederacy or the Union—a war that was fought a long time ago—it is appropriate, I think, to keep in mind that we have had a lot of wars since then: two World Wars, Korea, Vietnam. We have had a lot of very distinguished generals. We have had courageous Congressional Medal of Honor winners. Maybe in the context of today's times, there is a place for Camp MacArthur or Camp Eisenhower or Alvin C. York, who is a Congressional Medal of Honor winner and hero from Tennessee. It is always appropriate to review the places that are named and the monuments we put up to see if there should be a better name or a better place for a monument in the context of today's times.

But what about Andrew Jackson, whose statue is one that the State of Tennessee has sent here, whose statue is of him on a horse outside the White House at Lafayette Square? The similar statue is in Jackson Square in New Orleans. What about Andrew Jackson? Let's make the case for Andrew Jackson.

Presidential historians, almost without exception, put him in the top 10 of America's Presidents. They see him as the sophisticated, often subtle political actor that he really was. What they realize—and, unfortunately, what only dedicated students of the American Presidency often realize—is that Jackson was arguably the most important American President between Thomas Jefferson and Abraham Lincoln because, much like Lincoln, he preserved the Union. If not for Jackson's devotion to the Union against his own local

political interest, the Union might well have fallen apart in 1832 and 1833.

Jackson risked everything to keep our Union together instead of siding with South Carolina's U.S. Senator John Calhoun's doctrine of nullification. When a serious conflict of crisis arose, when South Carolina decided that, following Calhoun's doctrine of nullification, it could decide which Federal laws it could follow, it was Jackson who stood up and said: Our Federal Union must be preserved and Jackson who had the political will and the skill to make sure it was preserved. Jackson's decisions as President gave us an additional three decades to form what Lincoln eventually called "the mystic chords of memory" in his first inaugural address. Surely—surely that is worth recognition.

Andrew Jackson was our first non-aristocratic President. When he was born in 1767, it was not possible or plausible that the young boy, orphaned at 14, could someday rise in an emerging Republic. Jackson wasn't born rich. He wasn't born into privilege. He fought for everything he had, and he rose to our government's highest office through the sheer force of personality and political courage. That is the case for Andrew Jackson.

Let us also recognize that Andrew Jackson was not perfect. In fact, he was at the center of the two original sins of this country: slavery and the treatment of Native Americans. But if we are looking for perfection, we are not likely to find it in American history or the history of almost any country or in human nature.

The historian Jon Meacham, who won a Pulitzer Prize for his biography of Jackson and who wrote a biography of Thomas Jefferson, said that when Jefferson wrote the words, "all men are created equal," he was almost certainly writing about all White men. Those were the context of the times for Thomas Jefferson.

So what do we do about Jefferson if he was writing that all White men are created equal in the context of those times? What do we do about Jefferson, who—the only slaves that he freed, apparently, were those that he fathered with his slave mistress, Sally Hemings? What do we do about George Washington and Mount Vernon and the slaves that he owned? What do we do about Abraham Lincoln, who some people say was slow to act on emancipation? What about Franklin D. Roosevelt and his internment of American citizens who were Japanese in camps during World War II or, more recently, what do we do about Bill Clinton, who signed the Defense of Marriage Act, which would not be in the context of today's times, if two recent Supreme Court decisions are to be followed, as they will be?

Let's not just pick on our Presidents. What are we going to do about the Congress, the Senators, and the Members of the House? They approved the Trail of Tears, Andrew Jackson's removal of

the Cherokees to Oklahoma. The Congress did. And they approved the laws requiring segregation. Congress did. And what about the people who elected the Congress? They approved those Members of Congress who approved of segregation, who approved of the internment of Japanese in camps.

What are we going to do about us, the people of the United States? Do we pretend that we didn't exist during that history, when decisions were made that we would not make today or we would not approve of today, some of which would be abhorrent today? Do we try to burn down all the monuments, burn down Mount Vernon, burn down the Jefferson Memorial, Hyde Park, home of Franklin D. Roosevelt? Do we try to erase all of that from our history? That is not what we should do. We should not try to erase our history. We should not try to pretend it doesn't exist. We shouldn't ignore our history.

Here is what I think we should do. No. 1, as I said earlier, recognize that it is always appropriate to review the places that we have named or the monuments that we put up—just like the monuments of States in here—to see if there is a more appropriate monument or named place that is appropriate in the context of today's times. Remember, as Ben Hooks said: America is a work in progress. It is always changing, and our monuments or the places we name can change with that. That is an appropriate, healthy exercise to go through. That is No. 1.

But, No. 2, with the history that includes things we today abhor, we should try to learn from those things and build a better future. Let me give an example.

Each year, I bring onto the floor of the Senate teachers of American history who have been selected to attend the Academy for Teachers of American History that I helped to create when I first came to the Senate. I thought it was important to learn American history so children can grow up knowing what it means to be an American.

When they come to the floor, they look for the various desks because the desks of the Senate are what best describe them. They will go to find Daniel Webster's desk, which is still there. They will go to the back over there and find the desk that the three Kennedy brothers used, where they sat. The ones from Tennessee will come here because Howard Baker had my desk and so did Fred Thompson, the desk I now have. They are interested in the desks of Senator McCONNELL and Senator SCHUMER because they are the leaders, and they go to Jefferson Davis's desk.

Jefferson Davis was a U.S. Senator who had a great deal to do with the building of this Capitol. But he, like many other U.S. Senators in the South, resigned from the Senate and joined the Confederate Army. Jefferson Davis became President of the Confederacy.

When I take them to Jefferson Davis's desk, these teachers of American history, this is what I tell them;

that there is on that desk what looks like a chop mark. The story that is told is that it was created by a Union soldier who came into this Chamber when the Union soldiers occupied Washington, DC, and began to destroy the desk of a man who was the president of the Confederacy, Jefferson Davis, until he was stopped by his commanding officer, who told him: Stop that. We are here to save the Union, not to destroy it.

What do we do with Jefferson Davis's desk? I say keep it there. I say to learn from it, to learn from the fact that there was a Civil War; that there was a Confederacy; that Senators left this body; that Union soldiers were here; that one wanted to chop it up and another one would say, his commanding officer: Let's bring a better future. Stop that. We are here not to destroy the Union but to save it.

There are lessons in American history. There are lessons that we should learn. The lesson of Ben Hooks: We are a work in progress. We have come a long way. We have a long way to go; the lesson of Samuel Huntington, that most of our politics is about setting high goals for ourselves, that all men are created equal, and then dealing with the disappointment, struggling with the disappointment of not reaching those goals, deciding what to do about it.

Do we dishonor Andrew Jackson's effort to keep our country together between Jefferson and Lincoln? Do we dishonor Thomas Jefferson's eloquence? Do we dishonor George Washington's probity in character or Lincoln's courage or FDR's grand leadership during World War II all because they weren't perfect, all because they did things and lived things and said things that today we wouldn't say? I think not. Doing any of this would be a terrible misunderstanding of American history and of human nature. It would be ahistorical.

In his first inaugural address, Abraham Lincoln appealed to the better angels of our nature. If there are better angels of our nature, I guess that means there must be worse angels in us as well, not just in Washington and Jefferson and Jackson and Roosevelt and great men or great women but in all of us. There are the better angels, and there are the worst angels. In this country, our goal is to bring out the best in us, which does not mean ignore the worst.

We need to be honest about our weaknesses. We need to be proud of our strengths. We need to learn from both to create a better future for the United States of America.

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. SCOTT of South Carolina. 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 JUSTICE ACT

Mr. SCOTT of South Carolina. Madam President, I come to the floor to continue a conversation, a dialogue, about the importance of moving forward on the motion to proceed on the JUSTICE Act.

It was just an hour and a half ago, in front of the entire press corps, when I, Leader MCCONNELL, and the leadership team on the Republican side had a very open conversation with the press about fact that voting for this motion to proceed is voting for an open process. He said—and I agree—that this process must be open. I have asked that we have amendments, and the leader has said yes.

So, to my friends on the other side who believe that somehow—in some way—this does not include an actual open process, wherein you have a chance over several days, in the sight of the public, to talk about and offer your amendments, that is wrong. If you want a process whereby you will have an opportunity to persuade those in this body and the American people about the value of your amendments, this motion to proceed is a motion you should vote for. More importantly, rather than persuading the American people that this is a motion to proceed that you should vote for, if you really want to get into police reform, we will need a vehicle with which to get there. The JUSTICE Act is that vehicle.

Speaker PELOSI herself said—and I do not often quote Speaker PELOSI or even paraphrase Speaker PELOSI about something that she and I might agree on, but I agree here—that it would be important for us to have a conference, which would require this body to pass legislation. Then it would go to conference with the House. The only way we will pass legislation in this body is for there to be a bipartisan coalition of Republicans and Democrats, working together, because a majority of the Senate is not 51 out of 100. From a legislative purpose, the majority of the Senate is 60 votes. That means we require 60 votes to even start the process of saying to little boys and girls in communities of color around this country: We see you. We hear you.

I grew up in some impoverished communities and in a single-parent household—mired in poverty. I understand how it feels to leave your home, get in a car, and be afraid of being stopped. I get that. I have spoken about that too many times already. What I will say is that this body has a chance to say to those kids: We see you. We hear your concerns.

A motion to proceed is simply a procedural motion that says: Let's debate the underlying bill. Let's have a conversation in front of all of the American people about the importance of doing police reform the right way. If you don't trust the Republicans or if

you don't trust the Democrats, you get to watch the process play out right here, within the world's greatest deliberative body—you can watch it play out right here, live on C-SPAN—and come to your own conclusions about the seriousness of this issue. Yet if we miss that golden opportunity—if we miss the opportunity to debate the underlying issues—all you will wind up with will be talking points and campaigns.

You see, some believe that one side would rather campaign on police reform than solve police issues. I believe that both sides of the aisle have vast majorities of people who are willing to come to the table to have a serious debate on the underlying issues that have brought combustion into this Chamber and solve them, not have them explode. All of us do not have to tackle the issues like I did when I was 16 and 17 and 18 and 25 and 26 and 30. We are all here now on this sacred ground, and we have the ability to say to that young man and to that young lady: We didn't just see you. We didn't just hear you. We acted on it. By doing so, I believe we can make a difference in the lives of Americans whom we actually save.

There have been some criticisms. I sat in my office and listened to some of the criticisms about our JUSTICE Act by my friends on the other side. One of the criticisms was that the JUSTICE Act does not require new reporting measures on use of force. What? I sat in my office, speechless, because our legislation absolutely, positively, unequivocally requires more information. The House bill has a 10-percent penalty, and our legislation has a 20-percent penalty, or twice the penalty.

I heard that our legislation does not ban no-knock warrants, which is critically important because, in Louisville, KY, the conversation around no-knock warrants took a drastic turn in the wrong direction that led to the killing of Breonna Taylor. My friends were talking about how the House bill—their bill—bans no-knock warrants in drug cases, but when you open the legislation and read the pages, what it does ban are no-knock warrants for Federal agents. In Louisville, KY, those were not Federal agents. So the complaint and the concerns about what actually helps situations in places like Louisville, KY, aren't answered by the House bill.

I will be honest. In our legislation, we want to get the data around no-knock warrants so that we can actually direct the resources and the decisions in the right way. So, yes, you could say ours allows for a more deliberative process. Well, let's debate that, and let's come to an agreement.

Next, I heard that the JUSTICE Act would not end choke holds and that their legislation would actually ban choke holds. Let's take a closer look. That is false. With strict penalties facing local police departments, they go after choke holds by holding off on grant dollars for local agencies and

State agencies. Our legislation does the exact same thing. We go after local departments and State agencies by withdrawing some grant dollars.

What theirs says about the ban on choke holds applies only to Federal agents. That is really important. Why is that important? When you are watching at home, you hear there will be a ban on choke holds, but you don't necessarily make the correlation or have the information to reach the conclusion that they are talking only about Federal agents. Why is that important? Because Eric Garner's was not an incident with a Federal agent. It was not.

For 700,000 of the 800,000 law enforcement officers, the ban would not apply. That is really important information to share with the American people. Why is this so? It is called the Constitution. It is a pesky, little thing sometimes, but it is a fact. The Constitution does not allow for the Federal Government to dictate to those in local law enforcement what they can and cannot do. So they use the inducement of resources at the Federal level.

I talked to 10 Democratic Senators today, and I told them all the same: Let's get on the floor and amend the bill and see what happens. By the way, our legislation says the same thing. We instruct the AG to figure out how to ban it for Federal officers, and we reduce money and take money away as a penalty for those departments that have not banned choke holds.

The President's Executive order says that the certification process must include being certified by a governing agency that doesn't look favorably on choke holds. So whether you are in the House or whether you are a Senate Democrat or Republican or are in the White House, we are all closing in on the same outcome.

Here is what may be just as important as the distinctions that, I hope, I have cleared up as to the differences that are not necessarily the biggest differences on the important issues of what they said this morning was not what we were doing. I think selling something is important, but you can sell by manipulating or you can sell by motivating. I want to be clear that our legislation says what it says, not what others say it doesn't say.

Why am I so passionate about this issue? Beyond my 18 stops as a person of color, beyond my issues here in the Senate, beyond the fact that I am the one who grew up in poverty, in a single-parent household—beyond that point—in my legislation, which is the Senate Republican legislation, and the House legislation, there is so much common ground on which we can work, and to lose this moment for the kids and the young adults who are watching this process would be terrible. Let me give you a couple of examples of what I mean by the things that we have in common.

Both sides agree on more deescalation training and on duty-to-intervene