

issue you have. They did not stick around for that meeting.

My concern is that 80 percent just won't do. My concern is that our friends on the other side will not take advantage of this opportunity to say to the communities that are suffering: We see you. We hear you. We are willing to respond as one body.

I implore all of us to vote for the motion to proceed so that if there are recommendations that come in the form of amendments, we have a vote up or down on those amendments. I have offered as many amendments as necessary for this bill to be seen by the public, and, in consultation with the other side, let it be their bill—not TIM SCOTT's bill, not the Republican bill, not the Democrat bill, but a bill that starts to address the issues that have plagued this Nation for decades.

This is not my first start at this legislation. I started on this bill 5 years ago, but I could not find voices that would push forward reforms brought to our attention by the Walter Scott shooting in 2013.

I will close with this: I respect people with whom I disagree. They have the right to disagree. My pastor tells me I have the right to be wrong, which means I am not right all the time. But on this bill, if you don't think we are right, make it better. Don't walk away. Vote for the motion to proceed so that we have an opportunity to deal with this very real threat to the America that is civil, that is balanced. This is an opportunity to say yes—to say yes not to us but to those folks who are waiting for our leadership to stand and be counted.

VOTE ON WILSON NOMINATION

The PRESIDING OFFICER. Under the previous order, all postcloture time has expired.

The question is, Will the Senate advise and consent to the Wilson nomination?

Mr. LEE. I call for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

The result was announced—yeas 52, nays 48, as follows:

[Rollcall Vote No. 125 Ex.]

YEAS—52

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

NAYS—48

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

The nomination was confirmed.

The PRESIDING OFFICER (Mrs. HYDE-SMITH). Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant 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 motion to proceed to Calendar No. 480, S. 3985, a bill to improve and reform policing practices, accountability, and transparency.

Mitch McConnell, Cory Gardner, Ben Sasse, Steve Daines, Rob Portman, John Cornyn, David Perdue, Joni Ernst, James Lankford, Roger F. Wicker, Mike Crapo, Thom Tillis, Todd Young, Michael B. Enzi, John Hoeven, Tim Scott, Lindsey Graham.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed to S. 3985, a bill to improve and reform policing practices, accountability and transparency, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

The PRESIDING OFFICER (Mr. LANKFORD). Are there any other Senators in the Chamber desiring to vote or change their vote?

The yeas and nays resulted—yeas 55, nays 45, as follows:

[Rollcall Vote No. 126 Ex.]

YEAS—55

| | | |
|-----------|------------|-----------|
| Alexander | Crapo | Johnson |
| Barrasso | Cruz | Jones |
| Blackburn | Daines | Kennedy |
| Blunt | Enzi | King |
| Boozman | Ernst | Lankford |
| Braun | Fischer | Lee |
| Burr | Gardner | Loeffler |
| Capito | Graham | Manchin |
| Cassidy | Grassley | McSally |
| Collins | Hawley | Moran |
| Cornyn | Hoeven | Murkowski |
| Cotton | Hyde-Smith | Paul |
| Cramer | Inhofe | Perdue |

| | | |
|---------|------------|--------|
| Portman | Sasse | Tillis |
| Risch | Scott (FL) | Toomey |
| Roberts | Scott (SC) | Wicker |
| Romney | Shelby | Young |
| Rounds | Sullivan | |
| Rubio | Thune | |

NAYS—45

| | | |
|--------------|-----------|------------|
| Baldwin | Harris | Rosen |
| Bennet | Hassan | Sanders |
| Blumenthal | Heinrich | Schatz |
| Booker | Hirono | Schumer |
| Brown | Kaine | Shaheen |
| Cantwell | Klobuchar | Sinema |
| Cardin | Leahy | Smith |
| Carper | Markey | Stabenow |
| Casey | McConnell | Tester |
| Coons | Menendez | Udall |
| Cortez Masto | Merkley | Van Hollen |
| Duckworth | Murphy | Warner |
| Durbin | Murray | Warren |
| Feinstein | Peters | Whitehouse |
| Gillibrand | Reed | Wyden |

The PRESIDING OFFICER. On this vote, the yeas are 55, the nays are 45.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The majority leader.

MOTION TO RECONSIDER

Mr. MCCONNELL. Mr. President, I enter a motion to reconsider the vote.

The PRESIDING OFFICER. The motion is entered.

The majority leader.

Mr. MCCONNELL. Mr. President, I want to explain the reason I changed to no.

I am in strong support of the bill that has been crafted by the Senator from South Carolina. In order to have an opportunity to reconsider the vote without waiting for 2 days, I changed my vote and moved to reconsider, which means that it could come back at any time should progress be made.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to legislative session for 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.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2021—Motion to Proceed

Mr. MCCONNELL. Mr. President, I move to proceed to Calendar No. 483, S. 4049.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 483, S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk for the motion to proceed.

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

The senior assistant 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 motion to proceed to Calendar No. 483, S. 4049, a bill to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

Mitch McConnell, Marsha Blackburn, Joni Ernst, John Boozman, Steve Daines, Cory Gardner, Pat Roberts, Mike Rounds, Mike Crapo, Roger F. Wicker, Cindy Hyde-Smith, Lamar Alexander, Shelley Moore Capito, Rob Portman, Roy Blunt, John Barrasso, John Thune.

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

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

The Senator from South Carolina.

Mr. SCOTT of South Carolina. Mr. President, I yield 2 minutes to the Senator from Georgia.

The PRESIDING OFFICER. The Senator from Georgia.

THE JUSTICE ACT

Mr. PERDUE. Mr. President, I stand in strong support of and solidarity with my colleague and good friend from South Carolina, TIM SCOTT.

It was 5 years ago when a White man walked into a church in Charleston, SC. After going through 1 hour of Bible study—after they prayed for him and read the Bible to him—he pulled out a gun and shot the nine people in that Bible study.

Not long after that, the Presiding Officer and I attended one of the funerals in Charleston, SC, and TIM was there. Any other city in America would not have dealt with it the way Charleston, SC, did. Charleston, SC, dealt with it with love, which is something we don't talk about very often, and TIM SCOTT was there. Because of his time in grade and because of that mayor and because of the Black leaders in that town and the time in grade they had had with each other, they moved forward and overcame that tragedy.

Five years ago, TIM SCOTT put a bill on this floor, and we ended up then in exactly the same place we are now—doing absolutely nothing. How many more Black men and women will have to die in America before this body stops playing politics with race?

It is very clear to me, in having worked hard on justice reform, that there are opportunities—with \$75 billion going into the most economically challenged communities in our country—because of TIM SCOTT, President Trump, and all that we are doing. HBCUs—our historically Black colleges

and universities—are stronger today because of President Trump than they ever have been.

The time to act is now and to stop playing politics and pandering to the Democratic base, and let's get something done. This bill was never intended to be an end all. It was intended to be a platform for constructive debate, and here we are with only two Democratic Senators voting to even start the debate.

I yield to Senator TIM SCOTT.

Mr. SCOTT of South Carolina. I thank the Senator from Georgia.

Mr. President, there is scripture in the Bible in the Book of Ezekiel, chapter 33, somewhere around verse 6. This scripture talks about a watchman on a wall, and his job is to simply say there is danger coming. It is a very important job. The watchman's job is to simply say there is danger coming.

As Senator PERDUE said, I had that conversation 5 years ago. I didn't find anyone on the other side who was willing to engage in that conversation then, and here we are 5 years later. There is danger coming. I want us to hear this clearly because, as we look out on the streets of America and we see more unrest and we see more challenging situations, realize that there is danger coming.

The watchman's responsibility is to call out the danger, and as the bloodshed happens, the blood, according to Ezekiel, will not be on the hands of the watchman, but if he does not shout out, if he does not articulate that there is danger coming, then the blood will be on his hands.

There is danger coming. We are in dangerous times. The source of this danger is not the failure of this bill on this floor at this time. No, this is merely a symptom of the danger that, I believe, is right in front of us. This is only a symptom of a much deeper issue—a systemic problem. Let me explain.

I am a kid who grew up in poverty—in abject poverty in many ways. There is much worse poverty in America and, certainly, around the world than that in which I grew up. I am talking about the poverty of when you come home and hit the light switch, and there is no light. I am talking about the kind of poverty of having a phone attached to the wall, and when you picked it up, there was no sound. There are people who have lived in worse poverty than I, but that is poverty from my perspective, and I lived in that poverty.

One of the challenging situations of poverty that manifests is hopelessness. I was that hopeless kid in America, mired in poverty, in a single-parent household, under the impression that the only way I could escape poverty would be through athletics or through entertainment. I was hopeless. From 7 years old to 14 years old, I drifted, and all drifting leads one in the wrong direction. I failed high school. I embarrassed my mom, who was working 16 hours a day, because I felt there was no

hope in this country for a little Black boy like me—14 years old. I failed Spanish, English, world geography, and civics.

Civics, as we all know, is as close as it gets to failing politics. I will say that, today, this body, as a whole, is failing civics, or is failing in politics.

As the Lord would have it, I had an amazing mother who believed that it was her responsibility to pray me out of the hard situations I found myself in, and I had the good fortune of meeting a mentor after I got through summer school, who redirected me. I pulled myself together with the help of a powerful family, a praying grandmother, and a whole lot of faith. I caught up with my class, and I graduated on time. I earned a small football scholarship. I went to college and earned a degree in political science.

Along the way, as a youngster, I joined the NAACP. I joined the Urban League. I joined many organizations in the community because I knew that part of my responsibility was to be socially engaged and to make a difference no matter how small that difference would be. The one organization I didn't even think about joining was the Republican Party. Why would I ever think about joining the Republican Party? While growing up, every African American and every Black person I knew of was wed to the Democratic Party because it was better to have a seat in the room than to be outside. That was the heritage I grew up in.

Let me fast-forward to where we are today, and I will return to that.

We lost—I lost—a vote today on a piece of legislation that would have led to the systemic change in the relationship between communities of color and the law enforcement community. We would have broken this concept in this Nation that somehow, some way, you have to either be for law enforcement or for communities of color. That is a false binary choice. It is just not true.

This legislation spoke to the important issues that have brought us here today. We wouldn't be here, as Senator PERDUE alluded to, if it were not for the death of yet another African-American man, George Floyd. His murder is why the country has given us the opportunity to lead, but my friends on the other side just said no, not no to the legislation. They just said no.

Why am I saying that they didn't just say no to the legislation?

It is that, along the way, I sat down with many of them and asked: What do you need?

Senator SCHUMER sent a letter, telling, I believe it was, Senator McCONNELL that there were five things in the legislation that needed to be improved. I said: Let's give them the five amendments.

I sat down with more Senators, and they said: Wait. It is not just five. There are 20. I asked: How about 20 amendments? And they walked out.

You see, this process is not broken because of the legislation. This is a

broken process beyond that one piece of legislation.

It is one of the reasons why communities of color—young Americans of all colors—are losing faith in the institutions of authority and power in this Nation, because we are playing small ball. We are playing for those in the insulated chambers. We are playing for Presidential politics. That is small ball. Playing the big boys' game is playing for the kids who can't represent themselves, and if you don't like what you see, change it.

We offered them opportunities—at least 20, I offered—to change it, and their answer to me was, you can't offer us 20 amendments.

I said: Why not?

They said: Well, because MITCH MCCONNELL won't give you 20 amendments.

I spoke to MITCH MCCONNELL. He said: You can have 20 amendments.

I told them that.

We went to a press conference yesterday, and we said: An open process.

They didn't want an open process. They want one thing. I am going to get to that.

So I asked my friends—I said: What is it you don't like about where we are going?

They said: Well, the data collection area. This is the problem. The data collection area is the problem.

I said: Well, tell me the problem.

Well, the problem is that we are not collecting data.

I am like, well, wait a second. I could have sworn when I wrote the legislation, we were collecting data. So I flipped through the pages and realized we are collecting data for serious bodily injury and death.

They said: Well, we want to collect data on all uses of force.

I said: Put it in an amendment, and I will support it.

That was just one bone of contention. I said: Well, tell me another one.

They said: Our bone of contention is that we need you to ban no-knock warrants because of the Breonna Taylor situation.

I said: Your bill does not ban no-knock warrants for the Breonna Taylor situation; your bill bans it for Federal agents. There was not a Secret Service agent showing up at Breonna Taylor's door; that was a local police department.

So the fact that they are saying they want to ban no-knock warrants knowing they cannot ban no-knock warrants tells me that this is not about the underlying issue. It is bigger than that.

I said: Well, I will give you an amendment, though, and we can have that fight on the floor of the U.S. Senate.

As a matter of fact, I said: Tell me any issue you have with the legislation.

Well, we went through deescalation training, the duty to intervene, best practices.

I said: In the legislation. In the legislation. In the legislation.

I thought—you know, I don't have any hair, so I didn't pull it out, but here is what I said next. I said: Well, let's talk about tactics, then.

They said: Well, you don't ban choke holds.

I was like, I could have sworn I banned choke holds in there somewhere, and then I read the bill. They don't ban choke holds at the local level, at the State level. Do you know why? There is this little thing called the Constitution. They can't ban choke holds. Eric Gardner's situation would not have been cured by their ban on choke holds because their ban on choke holds was for Federal agents. Our legislation instructed the Attorney General to ban choke holds for Federal agents.

What else did we do? Well, we said we would reduce funding by 20 percent. They reduced funding by 10 percent. So our penalty was twice the penalty of the other side, and this is supposed to be an issue.

I am not sure we have found the issue. We haven't. It is not choke holds. It is not the duty to intervene. It is not data collection, because I said: On choke holds?

They said: Senator—I sat there at their meeting with them—it is your definition of "choke holds" that is the problem.

See, I assumed that when you think of choke holds, you think of a choke hold, but there is a distinction of the carotid airflow versus blood flow. They said ours covered only one, not the other.

I said: OK. You can have an amendment. I will vote for it. We will change it.

They said: We are not here to talk about that.

I said: Wait a second. If we are not here to debate the issue on the motion to proceed so that we can fix not 50 percent of the bill, not 70 percent of the bill, but literally slivers, slight changes on parts of the bill that would move this entire process forward, and you have the amendment to do so—I even said something that I didn't think I would say. I said: What about a managers' amendment? Let's just fix everything in one fell swoop.

They said: No, thank you.

So I find it disingenuous that people say: Well, why don't you just sit down with one Member and work it out?

Well, if a managers' amendment won't do it, if the 5 amendments they wrote in a letter saying that they needed to have these things fixed won't do it, if 20 amendments won't do it, and you have an open process on the floor of the U.S. Senate that requires 60 votes to get off of the bill, then what, pray tell, is the problem?

Well, I finally realized what the problem is. The actual problem is not what is being offered; it is who is offering it. It took me a long time to figure out the most obvious thing in the room. It is not the what. I have listened to the press conferences. I have read the newspapers. I am not sure that anyone

who is actually reporting on the bill has actually read the bill, because the next time I see another story or editorial that says we don't do this, their bill does that, and you put the two together, and it is not just off, it is just dead wrong—I realized, finally, it is the who that is offering this.

I have dealt with the problem of who before. As a Black man, I get the who being the problem. It is one of the reasons I went to Senator MCCONNELL and said: I want to lead this conversation. I am the person in our conference who has experienced firsthand racial discrimination, racial profiling by law enforcement, and I am still a fan because I believe that most law enforcement officers are good. But I am the guy. I am your guy, MITCH, because this is my issue. This is an issue for every poor kid growing up in every poor neighborhood in this Nation who feels like, when I leave my home for a jog, I might not come back.

This is a serious issue. This is an issue for every single kid who says: Is this my country? We have heard no.

This is the issue that we should be solving, not the legislative issue. That is not the issue. The issue is, do we matter? We had an opportunity to say: You matter so much, we will stay on this floor for as long as it takes and as many amendments as it takes for us to get to the issue that says "Yes, you matter." But we said no today. Fifty-six people said yes—four short—four short of saying yes; yes to having enough information to direct training and resources in such a way that we could hold people accountable. We were four votes short of saying yes to having a powerful tool of pulling resources to compel behavior on choke holds, because I believe that if we had gotten on the bill, we would have passed this bill.

But that is the problem, by the way. That is the who I am talking about. See, as a Black guy, I know how it feels to walk into a store and have the little clerk follow me around, even as a U.S. Senator. I get that. I have experienced that. I understand the traffic stops. I understand that when I am walking down the street and some young lady clutches her purse and my instinct is to get a little farther away because I don't want any issues with anybody. I understand that. But what I miss in this issue is that the stereotyping of Republicans is just as toxic as poison to the outcomes for the most vulnerable communities in this Nation. That is the issue.

When Speaker PELOSI says one of the most heinous things I can imagine—that the Republicans are actually trying to cover up murder, the murder of George Floyd, with our legislation—that is not politics. That is not a game to win. That is, you lose—you will sooner or later lose—but immediately, every kid around the Nation who heard that nonsense lost at that moment.

You see, what has become evident to me is that she knows something that we all know. She knows she can say

that because the Democrats have a monopoly on the Black vote. No matter the return on their loyalty—and I am telling you, the most loyal part of the Democratic construct is Black communities—no matter the loyalty of the people, the return they get will always continue to go down because in monopolies, you start devaluing your customer.

You see, today we could have given at the very minimum 70 percent of what they say would be important for the people we say we serve, but instead of having a debate on that today and not getting 5 amendments but 20 amendments, a managers' amendment—instead of going forward and getting what you want now, they have decided to punt this ball until the election. Do you know why? Because they believe that the polls reflect a 15-point deficit on our side; therefore, they can get the bill they want in November. All they have to do is win the election, and then roll in January, and they get a chance to write the police reform bill without our support at all.

Well, this is what they did in the House, right? No amendments in the House of Representatives on their bill. We are saying amendments on our side. Democrats are saying no amendments in the House, but you here in the U.S. Senate, because we are the world's greater deliberative body, you can have amendments—not in the House, not under Speaker PELOSI, but under Leader MCCONNELL, you get at least 20 amendments. And I thought, what the heck, I will throw in the managers' amendment too. But that was not good enough because the irony of the story is not the bill; the irony of the story is that today and through the rest of June and all of July, what we are going to have here is, instead of gaining 70 percent of what you wanted, or more, you are going to get zero. How is that for a return? How is that for loyalty? How does that work for the little kid at home in North Charleston where Walter Scott got shot? How does that work around the country when, instead of getting 70 percent of what you wanted, today and tomorrow and next week you get zero, and you are going to wait until the election to get more? OK. Well, why wouldn't you take the 80 percent now, see if you can win the election, and add on the other 20 percent? You have got to be kidding me.

Because the who matters, they cannot allow this party to be seen as a party that reaches out to all communities in this Nation. Unfortunately, without the kind of objectivity in the media that is necessary to share the message of what is actually happening, no one will ever know because if you don't read it in the paper, it must not have happened. If you don't see it on TV, on MSNBC or CNN, it must not be true. That is a problem.

Let me just say this: I think we are willing to compete for every vote everywhere, all the time. That might not be true in every corridor of the Nation,

but it is true of most corridors of the Nation. And this party has reinforced that truth, not by the words coming out of my mouth but by the actual legislation signed into law.

Senator PERDUE started talking about the important work that we did on opportunity zones—and I am going to wrap it up in 2 minutes here. It is lunchtime.

In 2017 we passed tax reform. I included in the opportunity zones—\$75 billion—real money to the most distressed communities in this Nation. How did that happen? Well, President Trump and I had a serious disagreement on his comments after Charlottesville. He, being a person I was not looking forward to having a conversation with, invited me to the Oval Office. I sat down with him, and I said: What do you want to talk about?

The President said: Tell me about your perspective on racial history.

I was stunned because if you know President Trump like I know President Trump, his love language is not words of encouragement. It just ain't. I know "ain't" ain't a word, but it is not.

He listened, and at the end of our conversation, he simply said: Tell me how to help those I have offended.

I didn't know what to say, so I pulled out my back pocket and got opportunity zones. I didn't go there prepared for him to listen. That is not supposed to be funny, but it is. I mean, I didn't expect him to listen, but he did. He listened. He leaned in, and he said: Tell me how to help the folks I have offended.

I said: Let's work on opportunity zones together.

He said: Yes.

I said: What?

He said: Yes.

He was concerned enough about the communities he had literally just offended. He was concerned enough to go to work on their behalf. And that is why we have opportunity zones.

I was like, well, this might work again. So I went back to the President and said: You know, there is a lot of work that needs to be done around the HBCUs, historically Black colleges and universities. He said yes. He said yes. We said yes.

Let me just tell you this: When we started saying yes, we controlled the White House, we controlled the Senate, and we controlled the House. So it wasn't because some Democrat came over here and said: In order to get our votes, you have to do this. That is not what happened. He said yes because the Republican Party said yes. We stood together with all three leaders of government under our control. We got opportunity zones done. We started a process of reinvesting in historically Black colleges and universities. And the head of the United Negro College Fund said at my last fly-in that this is a record level of funding ever—his words, not mine. I am not sure what "ever" is. Maybe that is longer than I have been alive. Literally more money

for HBCUs than ever—brought to you by the Republican Party.

I said: Well, that is working. Let's do it again.

So we went to stem cell research, which—stem cell research for sickle cell anemia, which is a 100-percent—basically speaking, 99.5 percent—African-American disease. He said yes.

LAMAR ALEXANDER, the chairman of our Health, Education, Labor, and Pensions Committee—we were fighting over funding for HBCUs. We made it permanent—permanent funding for the HBCUs led by a Republican chairman of the Health, Education, Labor, and Pensions Committee, President Trump signs it, and we have delivered historic funding and permanent funding for HBCUs.

Because I am running out of time, I am not going to go through the pre-pandemic numbers in minority communities for unemployment—unemployment not only at a record low, but we had labor force participation rates increasing. Let me say that differently. Not only did we get more jobs for Black folks and Brown folks, but the number of folks in the community—we started having an increase in the number of folks working.

This is called basic conservative politics. It works, creating 7 million new jobs benefiting two-thirds of African Americans, Hispanics, and women, and with a full economy, all boats started rising. Don't believe me, check your accounts. That is what it looks like.

COVID-19 hit us, and what did we do? We not only approved \$2.3 trillion and then another \$500 or so billion dollars, and \$450 billion that would be multiplied in the commercial facilities by probably 7 or 8—a \$6 trillion relief package. What did we do inside that package? We targeted small businesses to save small businesses, and, by the way, we added \$1 billion for historically Black colleges and universities.

Let me tell you what the biggest threat is. The biggest threat is that this Republican Party keeps showing up and delivering. I have 12 more pages to go. It is like being at church with my closing. I have 12 more pages of accomplishments to talk about. I am not going to talk about it. Don't look relieved. I am not going to talk about it. I am just here to state that if we are going to be serious about criminal justice reform—and we passed it with the House, Senate, and the White House in the hands of Republicans. We passed criminal justice reform to make up for the Democrat bill—the 1994 crime bill that locked up disproportionately African-American men. The Republican Party passed criminal justice reform with all three levers in our hands.

I am frustrated. I am frustrated because it is not a competition for the best ideas. It is not a competition for how to improve the poorest performing schools in America in the public education system that is consistently in Black and Brown communities—that your ZIP Code determines the outcome

of your life because you are not going to have a good education because we will not touch teachers' unions and we will not touch education in the way that needs to be touched.

Governor SCOTT did it before he was a Senator. That is one of the reasons why I went down there and campaigned for him, because he was serious about helping poor kids get up and move on.

Let me just close with this. I don't know what it is going to take to wake up an entire nation about the importance of a duopoly and not a monopoly. Look at the results. Look at the results you are getting.

By the way, when this bill is gone, and next week we are on the NDAA or something else, we will forget about this. We will move on. People will forget about it. And do you know what is going to happen? Something bad. And we will be right back here talking about what could have been done, what should have been done, why we must act. I am telling you, I had this conversation 5 years ago, and I am having this conversation right now. We could do something right now.

You know, here is the truth. Detroit, Atlanta, Minneapolis, Los Angeles, Philadelphia, and all of these cities could have banned choke holds themselves. They could have increased the police reporting themselves. They could have more data information themselves. They could have deescalation training themselves. They could have duty to intervene themselves, Minneapolis as well. All of these communities have been run by Democrats for decades—decades.

What is the ROI for the poorest people in this Nation? And I don't blame them. I blame an elite political class with billions of dollars to do whatever they want to do. And look at the results for the poorest, most vulnerable people in our Nation. I am willing to compete for their vote. Are you?

(Applause, Senators rising.)

The PRESIDING OFFICER. The Senator from Virginia.

Mr. KAINE. Mr. President, I came to the floor to hear my colleague from South Carolina, with no notes and with an open heart and open ears, because I knew he would be very disappointed that the motion to proceed failed and that he would have strong feelings about that because of his earnest desire to do police reform. I don't question that desire or the desire of any of the cosponsors of this bill, just as I hope colleagues on the other side don't question the sincerity of Senators BOOKER and HARRIS and those who cosponsored their bill. But I came with no notes to listen to my colleague and then to offer a word of explanation.

I am one of the 44 people who voted no. The Senator from South Carolina said that those who voted no on the motion to proceed didn't vote on the what; we voted no on the who. That is a stiff charge. That is a stiff charge.

What I want to say is this. I voted no not on the what and not on the who,

but I voted no on the how. We tried it the wrong way. Let's try it the right way. My colleague from South Carolina acts as if this discussion is over. It is only over for those who want it to be over. We tried it the wrong way. Let's try it the right way.

What do I mean by that?

I think everyone in the Chamber knows what I mean by this. This is an amazingly important topic that is exciting deep and legitimate concerns in the streets of every community in this country.

There are two good-faith bills that have been introduced dealing with police reform. I see virtues in both. I favor the Democratic bill, but that does not mean that I don't see virtues in the Scott bill.

I have only been in the Senate 7 years. I am not an expert on procedure, as some are who are standing in the Chamber right now, but my service tells me that there is a clear path to a bipartisan police reform bill that will do a good job and will speak to an America that wants to see leadership that is bipartisan.

It is obvious. These bills are both in the province of a Judiciary Committee that is chaired by a Republican from South Carolina, LINDSEY GRAHAM, whose ranking member, DIANNE FEINSTEIN, has been on that committee for a very long time. Why are these bills not being taken up in a committee with a Republican majority and debated and marked up and reported to the floor in a bipartisan way?

I serve on the Armed Services Committee. That is what we do every year with the NDAA. We introduce it, we let members have the ability to offer amendments that can be voted on by a simple majority vote in committee. We get to the end of a process and when no one has an amendment left, we then have a final bill, and then we vote it out overwhelmingly bipartisan. The NDAA came out of committee 2 weeks ago on a 26-to-2 vote. We will be taking it up on the floor.

I am on the HELP Committee. I have a wonderful chair and ranking member in Senators ALEXANDER and MURRAY, and we tackle tough issues with a committee that has some big personalities on it. I have a couple of them in the room with me now. There is great ideological diversity on that committee, but we take up tough issues, and we don't always solve them, but we usually do when we put our minds to it and report something to the floor and we do it in a bipartisan way. When it comes in a bipartisan way, there is a great chance that we get action here on the floor. That is the right way to do things. It respects the traditions of the body, because it is a majority that runs the committee, but it allows those who have devoted themselves to health issues or armed services issues or judiciary issues to offer their thoughts.

When these bills were introduced, I assumed that a committee ably led by Senators GRAHAM and FEINSTEIN would

put these bills together and have a markup and let people offer amendments with a 50-percent-vote threshold and then report out a bipartisan bill. Why would the Judiciary Committee not do it?

I believe the leaders of the committee wanted to do it, but I believe they were told not to do it. They were told that we are not going to use the committee process on this. We are going to force this to a floor vote, a snap vote, and then, when it goes down, we will say: Democrats killed it. It is all over. Move on to the next issue.

This is only over for anyone who wants it to be over.

I think the vote today says: We are not going to do it "my way or the highway." We ought to do it the right way—the way we do the NDAA, the way we did the FIRST STEP Act. The FIRST STEP Act, criminal justice reform, Democrats and Republicans working together, in committee and then negotiating with Jared Kushner and others at the White House—we did something good that all can take credit for.

How about the CARES Act? There is a recent example of this. The CARES Act was an unusual one. We were under an emergency. We were socially distant from each other. We couldn't even be in the same room as we were negotiating it, and it was in multiple committees' jurisdiction. So it wasn't as if one committee was taking it up. But there was good-faith, bipartisan negotiation on the different pieces of it.

One day, Leader MCCONNELL called us all back to Washington on a Sunday to vote—not on the bipartisan negotiated bill but on a partisan version. And, again, Democrats on this side of the aisle said: We are not ready to proceed. We are in the middle of bipartisan discussions. We are not ready to proceed to the partisan bill because we are in the middle of bipartisan discussions that will have the payoff for this country, and so we voted no—not on the what, not on the who. We voted no on the how.

We are not ready to proceed to a partisan, "my way or the highway" bill when we are engaged in bipartisan discussions that can find a solution that is good for the country. Guess what happened. Three days later, after that "no" vote, we were here on the floor voting yes—voting yes to a bipartisan bill that helped individuals and families, that created a grant program for small businesses, a loan program for large businesses, aid to State and local governments, aid to hospitals and nursing homes and healthcare providers. We voted no on the "my way or the highway" and said: Stay at the table with us. Let's have bipartisan discussions, and we can get to a yes.

And even as Members of this body were being diagnosed with coronavirus or exposed to it, we stayed at the table until we could get the work done, and we did it for the good of the country.

This discussion is not over unless people want it to be over.

Senator KING and I, on Monday, sent a letter to the two leaders and to the Judiciary Committee chair and ranking member, and we said: For God's sake, with a nation that is crying out for solutions that can show some unity, please do with this bill what we know will work and what has worked.

Let the Judiciary Committee take it up promptly and let them work and report it to the floor, and we can do this bill before the August recess and do it in a way where, in committee and on the floor, everyone has a chance to participate and we can get a win for the American public that is critically important. It is my hope that we will still do that.

The tenor of some of the conversations is as if this is now over, in the rear-view mirror, not to be returned to until after November. I don't accept that. I don't accept that. These bills are pending. We have a Judiciary Committee that can do this work.

I went to the Judiciary Committee this morning to introduce a judicial nominee and asked members of the committee who were there: If these bills were taken up in this committee, could you find a bipartisan result? And the answer they gave to me was yes.

I didn't vote no for the what. I didn't vote no for the who. I voted no for the how. I know how we can do this bill, and shame on us on a matter of such seriousness if we don't engage in a process whose seriousness matches the gravity of the moment.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. SASSE. The Senator from Maryland was first. I have 40 seconds to comment, but thank you.

I respect the Senator from Virginia, but I would like to note for the RECORD, as somebody who spent a lot of time in the working group under Senator SCOTT's leadership, that Senator Kaine repeatedly said it was a "my way or the highway" approach. I just think it is really important for the RECORD for us to admit that this is an open amendment process that has been proposed, and that some of the Democrats who came to some of the meetings to negotiate were frankly stunned when Mr. SCOTT went from 5 amendments to 20 amendments, to whatever number you want. That is the opposite of a "my way or the highway" approach. That language isn't true. An open amendment process where dozens have been offered is not a "my way or the highway" approach.

Mr. Kaine. Would the Senator yield for a question?

Mr. SASSE. Yes.

Mr. Kaine. Mr. President, the Senator from Nebraska is a member of the Judiciary Committee, isn't that right?

Mr. SASSE. One of the most dysfunctional committees in the Senate—I am.

Mr. Kaine. When the Senator has markups in the Judiciary Committee on a bill like the FIRST STEP Act and someone, Democrat or Republican, pro-

poses an amendment to mark, isn't it the standard to vote on the amendment and if the majority of the committee approves, then the amendment is added to the bill?

Mr. SASSE. There are so many different procedures in the Judiciary Committee. You defined yourself as a rookie who has been here for 7 years. I am a rookie to your rookie, and I am new on Judiciary. So there are a lot of ways. The way you are defining it is usually the model, but there is a whole bunch of stuff that happens. You asked for the question that falls into that, but perhaps there is another comment that you can make.

Mr. Kaine. My experience on every committee I have been on is that we leave it to a markup in the committee with a simple majority, not allowing a simple majority amendment process in committee, but saying "no, we will give you some amendments on the floor with a 60-vote threshold" is not the same thing. It doesn't respect an individual's ability to try to persuade the majority of my colleagues, Democrats and Republicans, that it is a good idea or not. That is why this bill was not sent to committee but just put on the floor. So I don't view that as fair, to respond.

I get Senator SCOTT, and I appreciate him saying that we should have open amendments on the floor. But depriving people the ability to offer open amendments in a simple majority—can I convince the majority of my colleagues in the committee?—that is already stacking the deck, in my view.

Mr. SASSE. I thank the Senator for his question. I told the Senator from Maryland I would get out of his way, and I thank him for the time.

The PRESIDING OFFICER (Mrs. LOEFFLER). The Senator from Maryland is recognized.

JUSTICE IN POLICING ACT

Mr. CARDIN. Madam President, over the weekend, I was reflecting on the times that our Nation finds itself in today. We are witnessing the rebirth of a new civil rights movement when it comes to reforming our police departments.

Americans now know the names of George Floyd, Breonna Taylor, Freddie Gray, and so many others. The current protests we have seen throughout the Nation and throughout the world are a direct result of an incredible leap in technology, where individual citizens and officers themselves can record interactions between police officers and members of the community in real time.

But these troubling interactions between the police and the citizens they are sworn to protect and serve that we saw on video is not new, but we now have the evidence. They just happened to be caught, creating stronger legal evidence of misconduct and abuse.

Today, as our Nation experiences yet another civil rights movement, this time during a pandemic, I want to share with my colleagues some words

of inspiration I often turn to in times of trouble.

First, in the Constitution: "We the people of the United States, in Order to form a more perfect Union, establish Justice. . . ." That is the first mention in the Constitution.

Let us think how in the United States can help to establish justice, as we are exhorted to do in the Constitution, which we are sworn to uphold and defend.

The second set of words I would like to share with you are from my colleague and dear friend, the late Elijah Cummings, who represented Baltimore in the Congress for many years. Representative Cummings gave the eulogy for Freddie Gray in 2015, who died after being arrested and taken into police custody. During Freddie Gray's church service, Elijah closed with a quote from the Old Testament Book of Amos:

I want justice—oceans of it. I want fairness—rivers of it. That is what I want. That is all I want.

The third story I want to share with my colleagues is the inspiration I felt from reading Dr. Martin Luther King, Jr.'s "Letter from a Birmingham Jail," in April of 1963. Dr. King wrote:

We know through painful experiences that freedom is never voluntarily given by the oppressor; it must be demanded by the oppressed. Frankly, I have yet to engage in a direct action campaign that was "well-timed," [in the view] of those who have not suffered unduly from the disease of segregation. For years now I have heard the words "Wait!" It rings in the ear of every Negro with a piercing familiarity. This "Wait" has almost always meant "Never."

We must come to see, with one of our distinguished jurists, that "justice too long delayed is justice denied."

We have waited for more than 340 years for our constitutional and God given rights . . . Perhaps it is easy for those who have never felt the stinging darts of segregation to say, "Wait." But when you have seen vicious mobs lynch your mothers and fathers at will and drown your sisters and brothers at whim; when you have seen hate filled policemen curse, kick and even kill your black brothers and sisters; when you see the vast majority of your twenty million Negro brothers smothering in an airtight cage of poverty in the midst of affluent society . . . when you have to concoct an answer for a five year old son who is asking: "Daddy, why do white people treat colored people so mean?" . . . when you are harried by day and haunted by night by the fact that you are a Negro, living constantly at tiptoe stance, never quite knowing what to expect next, and are plagued with inner fears and outer resentments; when you are forever fighting a degenerating sense of "nobodiness"—then you will understand why we find it difficult to wait. There comes a time when the cup of endurance runs over, and men are no longer willing to be plunged into the abyss of despair. I hope, sirs, you understand our legitimate and unavoidable impatience.

So this weekend, as I was thinking about our charge to establish justice in the Constitution and the pleas from Elijah Cummings and Dr. King, I contemplated where we are today. We are at a point in our Nation that we need to make transformational change when it comes to our police officers and their

fundamental relationships with our communities, in particular the African-American community and other communities of color. We can no longer wait. We must make bold changes now.

I agree with Leader SCHUMER and Senators BOOKER and HARRIS, who are the authors of the Justice in Policing Act. My concern is that the legislation authored by Senator SCOTT, the JUSTICE Act, falls dangerously short for what we need for comprehensive, effective, and transformational police reform that our country and the American people are demanding.

I, therefore, hope that Leader MCCONNELL will negotiate with Leader SCHUMER so we can work on a bipartisan bill and establish a constructive starting point on policing reform. I listened to the debate with Senator SCOTT and Senator KANE, and I have seen this before. When we bring a partisan bill to the floor where there is no prearranged opportunity to offer the types of amendments with simple majority votes so the rule of the Senate can prevail and when you start from a point that cannot lead to successful conclusion, you shouldn't start. You should go back to negotiate a truly bipartisan bill.

We should use the model of the CARES Act legislation that was signed into law in response to the COVID-19 pandemic. That was a bipartisan bill that was brought to the floor. Let me just highlight a few of my concerns with the JUSTICE Act.

This legislation does not contain any mechanisms to hold law enforcement officers accountable in court for their misconduct. For example, it makes no changes in the law when it comes to qualified immunity or criminal intent standards for law enforcement. Current legal standards have allowed law enforcement officers regularly to evade criminal liability for excessive use of force and have shielded officers from liability, even when they violate citizens' constitutional rights.

The JUSTICE Act does not implement a public national misconduct registry necessary to ensure communities have information necessary to hold their law enforcement officers accountable. The JUSTICE Act fails to establish a collection of all use-of-force data, data related to religious and racial profiling, and it does nothing to end harmful policing practices like racial and religious profiling.

By contrast, the Justice in Policing Act authored by Senators BOOKER and HARRIS does contain legislation I authored, the End Racial and Religious Profiling Act. Why do we need that? Studies have shown that Blacks are 3.6 times more likely to be arrested for selling drugs, despite the fact that Whites are more likely to sell drugs. Studies show that Blacks are 2.5 times more likely to be arrested for possessing drugs, despite using drugs at the same rate as Whites.

This is just wrong, and Congress and even President Trump recognized this

when we made some modest improvements to the FIRST STEP Act. That was a bipartisan bill and started as a bipartisan bill, and we were able to get it enacted. The End Racial and Religious Profiling Act is designed to enforce the constitutional rights to equal protections under law by eliminating racial- and religious-based discriminatory profiling at all levels of law enforcement by changing the policies and procedures.

It allows police to focus their work more accurately, rather than wasting resources on blanket stereotypes. It requires enhanced data collection for the Department of Justice to track and monitor discriminatory profiling. It holds State and local enforcement agencies accountable by conditioning Federal funds on the adoption of policies and best practices to combat profiling by officers. It eliminates, once and for all, discriminatory profiling. It is in the Booker-Harris bill. It is not in the Scott bill.

The underlying JUSTICE Act does not include any real national standards for law enforcement. By contrast, the Justice in Policing Act contains legislation I authored, the Law Enforcement Trust and Integrity Act, which takes a comprehensive approach on how local police organizations can adopt performance-based standards to ensure that instances of misconduct will be minimized through training and oversight. That legislation takes steps to mitigate police violence by designating resources for community development and the transformation of public safety practices.

In Baltimore, we have ongoing Federal partnerships with city law enforcement and the Federal Justice Department following the tragic death of Freddie Gray, Jr. This is an example of continued efforts to rebuild trust between communities and police and encourages the establishment of more effective police models.

The legislation I described provides public safety innovation grants to help communities reimagine and develop concrete, just, and equitable public safety approaches. This is in the Booker-Harris bill. It is not in the Scott bill. The JUSTICE Act does not adequately address the issue of no-knock warrants in drug cases, nor does it adequately address the use of choke holds. Finally, the legislation does not address the issue of establishing a national use-of-force standard.

By contrast, the Justice in Policing Act changes the use-of-force standards for officers so that deadly force be used only as a last resort, while requiring officers to employ deescalation techniques. Let me bring to my colleagues' attention a letter dated June 23, 2020, from the Leadership Conference on Civil and Human Rights.

In the letter, the Leadership Conference writes to Congress:

We write to express our strong opposition to S. 3985, the . . . [JUSTICE Act]. The JUSTICE Act is an inadequate response to the

decades of pain, hardship, and devastation that Black people have and continue to endure as a result of systemic racism and lax policies that fail to hold police accountable for misconduct.

The letter goes on to say:

Abusive policing practices, coupled with devastating state-sanctioned violence, have exacted systemic brutality and fatality upon Black people since our nation's founding. Police have shot and killed more than 1,000 people in the United States over the past year, and Black people are disproportionately more likely than white people to be killed by police. The current protests in our cities are a response not only to the unjust policing of Black people, but also calls for action to public officials to enact bold, comprehensive, and structural change.

The letter concludes.

. . . Passing watered-down legislation that fails to remedy the actual harms resulting in the loss of life is a moral statement that is inconsistent with a genuine belief that black lives matter. Anything less than full support for comprehensive legislation that holds police accountable is inexcusable.

Let me close my remarks once again by sharing some words from Dr. King, from the March on Washington in 1963. In his famous speech at the foot of the Lincoln Memorial on the National Mall in Washington, DC, Dr. King said:

In a sense we've come to our nation's capital to cash a check. When the architects of our Republic wrote the magnificent words of the Constitution and Declaration of Independence, they were signing a promissory note to which every American was to fall heir. This note was a promise that all men—yes, black men as well as white men—would be guaranteed the unalienable rights of life, liberty and the pursuit of happiness. It is obvious today that America has defaulted on this promissory note insofar as her citizens of color are concerned. . . . But we refused to believe that the bank of justice is bankrupt. We refuse to believe that there are insufficient funds in the great vaults of opportunity of this nation. So we've come to cash this check, a check that will give us upon demand the riches of freedom and the security of justice.

Dr. King continued by saying:

We have also come to this hollowed spot to remind America of the fierce urgency of now. This is no time to engage in the luxury of cooling off or take the tranquilizing drug of gradualism. Now is the time to make real the promise of democracy. . . . Now is the time to lift our nation from the quicksands of racial injustice to the solid rock of brotherhood. . . . Now is the time to make justice a reality for all God's children. It would be fatal for the nation to overlook the urgency of the moment. . . .

The House of Representatives is scheduled to pass their version of the Justice in Policing Act on Thursday. Let us take up meaningful legislation in the Senate as the base bill negotiated between Democrats and Republicans. Let us rise to the occasion and make the Founders of this Nation proud.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Ms. ERNST. 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

Ms. ERNST. Madam President, the murder of George Floyd captured the attention and the emotions of the entire world. In the weeks that have followed, folks around the world have been crying out for a change, an end to racial inequality and the beginning of a new era of justice, understanding, and healing. While sometimes uncomfortable, this conversation is much needed, and, in my opinion, it is long overdue. It should not have taken the loss of a life for us to begin to talk and listen and to learn.

I grew up in a predominantly White community, but as a young woman, I was truly blessed to live, learn, and work in communities that were rich in diversity. It is difficult to understand the unfairness someone faces due to their skin color, but we can make time to listen. I did this last week when I sat down with our own Senate Chaplain, Barry Black.

For those who do not know him, Chaplain Black is a remarkable and inspiring person. After serving over 27 years in the U.S. Navy, he now serves as a spiritual guide for Senators and opens our proceedings every day with a thoughtful prayer. One of my favorite things he told me was about a lesson his mother had taught him. She told him that God gave us two ears, two eyes, but only one mouth—and we should use them proportionately.

I believe the United States is, by far, the greatest country in the world, but that does not mean that we don't have past and current issues that we need to address. Let's be frank, it was not a single, isolated event—the murder of Mr. Floyd—that incited the raw emotions that are still burning weeks later.

In Iowa, Governor Kim Reynolds signed a historic police reform bill, which will add additional accountability for law enforcement. This will benefit both the community and the police. Here is what is remarkable about this new law: Partisanship wasn't a factor.

Republican house majority leader Matt Windschitl and Democratic representative Ako Abdul-Samad, two of the extraordinary leaders that ushered this bill through the house and through our legislature, spoke with me this morning, and both of them said that, while they don't each view this as a perfect bill, it was more than cosmetic. It had real meaning and depth, and it was a first step.

I agreed with them because any journey starts with a single step, a meaningful step. The bill passed the Iowa House by a vote—again, with these two extraordinary leaders—by a vote of 98-0, unanimous. It then went to the Iowa Senate, and it passed in the Iowa Senate 49-0. Partisanship wasn't a factor. The only thing that mattered was doing the right thing.

Not a single dissenting vote was cast, and it even had the endorsement of the

Iowa Police Officers Association. We are only going to improve as a nation if we come together and make everyone a part of the solution. We can do that. Iowa put politics aside, and they got it done. I wish we could see more of Iowa in this Chamber.

We need both sides of the aisle to unite and to pass Senator TIM SCOTT's JUSTICE Act. The JUSTICE Act offers real solutions to police reform by increasing oversight, strengthening incident report requirements, and ensuring the correct use of body cameras. It includes an issue that I have been working to address: sexual misconduct within our law enforcement.

The JUSTICE Act is simply a commonsense approach to effective police reform. The bill includes a number of bipartisan provisions, including the antilyncing proposal put forward by Senators JOHN CORNYN and KAMALA HARRIS. It is heartbreaking that the bill to address these issues was blocked by Senate Democrats.

The Senate exists so we can debate these issues in a civil manner and reach a consensus so they aren't resolved in the streets. We can't do that if the other side chooses to shut down meaningful debate or give in to radical ideas like defunding the police, which won't solve the problem of inequality or end violence.

I ask my colleagues on the other side of the aisle: Are you willing to come to the table? Are you willing to accept that amendment process? Are you willing to take the first step in our journey? Will you put politics aside and help us enact reforms to ensure the safety of our communities?

Our Nation's journey toward becoming a more perfect union and securing the blessings of liberty for all Americans has taken a long and bumpy road, and we still have a lot farther to go. It starts with that one step. But at this moment, the country and the world are demanding we pick up the stride. Let's follow Iowa's lead. Let's come together and take meaningful action.

To be clear, the passage of a single bill is not going to suddenly reverse centuries of injustice. Passing laws are a simple part. If we really want to change behavior, we need to commit ourselves to changing our hearts. The best way that we can personally commemorate the life of George Floyd and the many others before him who lost their lives or suffered injustice is to open our own hearts.

Chaplain Black summed up the solution best when he quoted to me Mark 12:31: "Love your neighbor as yourself." It is both that simple and that challenging.

So I am asking all of us in this body to be more like Iowa. Let's find a solution. Let's take that first step and begin our journey together.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. PERDUE). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BLUNT. I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. BLUNT. Mr. President, I heard your comments earlier today—and I couldn't agree more—on the importance of us dealing with the issues that were on the floor today that we failed to deal with. I heard our good friend Senator SCOTT's response to the way his hard work was looked at and, frankly, ignored.

When the Congress stops resembling an honest and open discussion of the issues, I think it gives us a lot to be concerned about. The solution should be the goal. When Members of Congress are more interested in a bill that they believe to be perfect rather than seriously engaging in a debate, it raises a lot of concerns about how we protect liberty and how we do our constitutional duty.

I have been in the Congress for a while, as some of my friends are more than eager to point out, and I have never voted for a perfect bill—ever. I have introduced a couple of perfect bills, but I have never voted for a perfect bill. I have never voted for a bill that couldn't be improved.

Our good friend TIM SCOTT said something the other day that struck me as a truism. He said: I think most Americans are tired of Republicans and Democrats talking about Republicans and Democrats. Most Americans, as Senator SCOTT's point was made, want us to solve problems. They want us to come up not with the best answer possible; they want us to come up with the best possible answer.

What is the difference between the best answer possible and the best possible answer? The difference is figuring out when you have gotten done as much as you can get done and you decide that, in this process, you want to accept that and come back at a later time and see if you can do a little better.

They don't want us to reject a promising solution just because someone from the other party said it first. They don't want us to reject a promising solution just because it doesn't solve everything.

Nothing around here happens as fast as we would like it to. Debate, discussion, and compromise all take time. Remember, the Constitution was put together by people who didn't trust government. They didn't want to make it easy for government to do things, and they didn't.

One of the great successes of all time was the success of making it hard for our government to do things. It is hard to explain in other countries where they have parliamentary systems where, if the leader doesn't get what the leader wants, the government collapses. That is not the way this government is designed at all. It is designed to take some time, but you have to be willing to take the time. It is designed

to reach compromise, but you have to be willing to reach compromise.

We think our job should be to, again, come up with the best solution we can come up with and try to do the job that we are sent here to do, trying not to wait and say: Well, we are too close to an election. Apparently we are too close to an election all the time now. We never want to give away anything that could be a political issue because it is better—maybe in some minds—not to solve it than it is to solve it.

Today's disappointing vote doesn't have to be final. The majority leader changed his vote at the very end. It was 56 to 44—3 Democrats and all of the Republicans wanting to move forward, but it takes 60 votes here to move forward.

By the way, it also takes 60 votes to get off the bill to have a vote. There was nothing to be lost by seeing if we couldn't make Senator SCOTT's bill better. In fact, I understand from his speech earlier that he agreed to 20 amendments that had the possibility to do that. That is what we are supposed to do. We are here to vote. We are here to make decisions. We are here to move forward or to decide we don't want to move forward. There are times when a decision is that this is not the right solution to this problem. That was not what we were dealing with today.

Our colleagues in the House planned their own legislation. There was that moment of hope when the Speaker of the House said she looked forward to taking their product—their bill—to conference. Well, you only get to take a bill to conference if there is a conference, and you only get to take a bill to conference if we pass a bill and the House passes a bill.

By the way, if they are exactly the same bill, there is no reason to go to conference. That bill goes to the President.

We pass a bill, the House passes a bill, we go to conference, and then we come back. And 44 of our colleagues were unwilling to go through that process.

On a bill like this, you get a lot of votes. You get the vote to go to the debate. You get the vote to go to the vote. You get the vote to pass the Senate bill. It has been, actually, a while since I heard somebody say what used to be said often: I am voting for this bill. I don't think it is where it should be yet, but I look forward to voting for a better process coming out of conference.

You used to hear that all the time: I am voting for this bill so we can get to conference, and in conference I am going to do everything I can to work to make it better. That is how the process works.

This "take it or leave it," nobody shows up—our friends at the House show up one day to vote on a bill that God knows who decided what would be in that bill, and that is the bill we either accept or reject. What a foolish way to do business. What an unsatis-

factory way to fail to debate the issues that people sent us here to decide.

But, again, the House will pass a bill this week, and unless we reconsider this decision, that will be the end of it. That will be the end of it. The House has passed a bill. We are not going to take up the House bill. There is no Senate product to go to conference. That is the end of it.

It is an issue that we need to find a solution to. It was an issue we needed to find a solution to after what happened in St. Louis in 2014. It is an issue we have needed to find a solution to. The dates seem to keep getting closer, to where this year three things happened in a row—maybe more than three—that shouldn't have happened, and things have happened since those three things that shouldn't have happened.

We need to lead on this issue. We need to find a way to make a successful conclusion to the best we can do. The best we can do today doesn't mean that is the best we can ever do; it just means, when you have something that you are agreeing with—and this isn't even a bill where—Senator SCOTT's bill—I didn't hear Democrats say: I agree with 80 percent of what is in the bill. They were more likely to say: 80 percent of what I want to do is in the bill.

Take 80 percent of what you want to do to conference and hope it comes back with 90 percent of what you want to do or 96 percent of what you want to do. But if you don't trust the process, the process cannot produce a result.

People are tired of us failing to do our job. We need to vote. We need to have amendments. We need to have bills on the floor on issues like this that the American people are in the streets of America saying: Solve this problem.

You can't solve this problem by turning your back on it. You can't solve this problem by saying: If I don't get this exactly the way I want it, I would rather not have anything. I will tell you what that gets you. That gets you nothing. In a democracy, that does not work. If you are getting your way all the time—at home, at church, at school, at work, in the Congress—there is something wrong with you. There is something wrong with you. Nobody gets their way all the time. Compromise is the essence of democracy, but you have to be willing to go to the place where compromise happens. On this bill, that would have been at conference, to see if we can't come closer to a bill that everybody believes is the best we can do.

I think Senator SCOTT did a great job with his bill. I think Senator SCOTT thinks his bill could be better. But his bill is not the House bill, and the House bill is not going to be the final bill either.

What a mistake to walk away from the chance to solve a problem.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. LANKFORD. Mr. President, we just finished up a vote on the Senate floor where we fell four votes short of opening debate on a bill to deal with police reform—four votes short. We were four votes short of opening debate to discuss it.

Every single Republican voted for this—and a handful of Democrats. But the vast majority of Democrats actually said: No, we don't want to debate this bill. We will only debate the Pelosi bill when it comes out of the House.

Well, that is absurd. That didn't happen, I can assure you, when Speaker Boehner was the leader of the House, that the Senate said "I will tell you what, we are going to wait and see whatever Speaker Boehner sends over to Harry Reid" and Harry Reid would say "Oh, yes, please. We will take up whatever the Boehner bill is." That was never done, and they know that.

This is such an odd, peculiar season in our country politically and a painful season in our country culturally and practically.

Our hope was to have a real debate on a real bill. I was part of the team in writing this bill. This bill was a genuine push to reform how we do police work and to increase accountability and transparency across the country.

The bill that we just needed four Democrats to join—just four Democrats to join—to be able to open it up for debate would have banned choke holds across the country.

It would have required the reporting of all serious bodily injury or death in police custody from everywhere in the country, to start tracking all of this.

It would have gathered information on no-knock warrants all around the country to start tracking this information to see if they are being abused.

It would have put more body cameras on the street. This bill that we just needed four Democrats to join us on—just four—would have put \$150 million more in body-worn cameras on the street. It wouldn't have just put those body cameras on the street; it would have also put in new requirements to make sure they stay on, which has been an issue.

This bill that we just needed four Democrats to join us on, just so we could debate it and discuss it and amend it, would have had a whole new system tracking complaints and discipline actions. It would have pulled together records for law enforcement officers to make sure that they would have had those records—their commendations and their discipline—travel to the next department with them. So before an officer leaves one department and goes to the next, all the records are made available to the next department so that we don't have a bad apple moving from department to department.

This bill that we just needed four Democrats to join on with us—any four—just so we could open it up and debate it and amend it would have changed the system on a duty to intervene, putting new obligations, new

training, and new requirements on an officer who is watching another officer do something they know is wrong to intervene in that process and to stop it.

It would have a national commission to pull folks together to get the best ideas from around the country, to gather the best practices that have happened.

There is also a new piece that is in this—it is not in the Pelosi bill; it is only in this bill—that deals with giving a false report if you are a police officer, because at times we will have a police officer where—when there is serious bodily injury or death, their written record doesn't match the reality of what really happened, and it is not just that they misremembered; they intentionally turned in a false report. This bill that we wanted to just debate today would have allowed us to be able to add additional penalties onto that, to make sure someone receives the due penalty if they try to lie on forms.

This bill would have dealt with mental health.

This bill would have dealt with deescalation training. This bill was designed to help get additional training.

This bill has a section on it using the Museum of African American History to design a curriculum that we could put out to every department around the country on the history of race and law enforcement. It is modeled after what was done with the Holocaust Museum to deal with anti-Semitism. That is what this bill was designed to do. We just needed four Democrats to join us. Instead, they dug in, did press releases, and said: That bill is terrible. It is awful. It has no teeth in it. That bill is unsalvageable.

I would ask any American listening to me and anyone in this room: Is there one of those ideas you don't like?

Then the conversation was, well, we are not going to have an open enough process.

Senator SCOTT, who is our point negotiator in this, sat down with Democratic leadership and said: How about 20 amendments on this bill? If you want to bring something up to amend it, change, it, great.

They said no. Their desire is only Speaker PELOSI's bill or nothing. I think that is exceptionally sad.

We have been through this journey so many times where we will see a Black man be killed, we will all watch the footage, the whole country rises up, and Congress starts debating, and then it stops. It stops because of silly stuff like this where people dig in and say: If you don't do it entirely our way, then we are not going to do it at all. It is not about solving the problem; it is just about prolonging a problem so you can make it a political issue when families out there want this solved.

All of those things I listed are all out there.

There are two things I have heard. We are not going to take up your bill. We are not going to debate it. We are

not going to discuss it. We are going to block it from coming to the floor—which is what happened today. The two issues I heard are, you know what, I really want us to go to committee. I want a committee to look at this, take some time, go through this.

That is a fascinating argument, and I wish it was true. Two weeks ago, the discussion was "We need to get on this as quickly as possible"—until we actually put out a legitimate bill, and then my Democratic colleagues said, "Well, there is a problem with how you are putting it out. We are going to debate it on the floor. I would rather debate it in committee and then have the floor bring it but not debate it on the floor. I don't want to debate it out here. Let's debate it over there."

No one is buying that argument. No one is buying that. If you can put 20 amendments on this, that is what would happen in a committee. Let's bring it. Let's talk about it. Everyone sees what that is. Shuffling bills off to committee is about delaying and stalling and "Let's delay this," because they know we won't get it this week, and they will delay it, and then it will be after the Fourth of July. When we come back from the Fourth of July, we have the coronavirus bills, as they know, and we have the appropriations bills, as they know. So it is like, OK, so it will not happen there. So then there is the August gap, and then it will move to September. What they are trying to do is get it closer and closer to the election and then make it a big election issue, saying: Those crazy Republicans will not resolve this. Get it close to the election and make it an election issue.

Hello—why don't we just solve this instead of dragging the country through something we all know key ways to be able to solve?

Two issues we know of—one is a purely political issue: stall, delay, try to get this closer to the election, and then divide the country. The second one deals with an issue on whether police officers should face not only criminal liability, they should face civil liability as well.

You hear this get kicked around all the time with all different kinds of terms. Speaker PELOSI's bill says: Not only put that police officer in prison, which they deserve—if they murder someone, commit a crime, a police officer is as liable for the law as everyone else is, and if they are not, they should be, and we should fix that. Speaker PELOSI's bill says: Not only put them in prison but also civilly take their home and their car and their pension away from their family. Make sure we leave them destitute and their family destitute, as well as put them in prison. That is what their bill is all about.

It is the reason why so many police officers are so frustrated and furious with the bill they adamantly want to put on the floor, because they are saying that if they did something wrong, they should face the consequences for it, but don't punish their family.

Speaker PELOSI's bill says: No, the police officers should be in prison, and their families should have their home taken away from them and their police pension taken away from them and everything else.

Do you know what we have talked about? We talked about a police officer facing criminal penalties, as they do now, as they should. If there is a civil case, why don't we bring it against the department that didn't train their officer, that didn't supervise that officer? Instead of attacking an officer's family, why don't we hold people accountable to actually supervise people better and push the city and the department to do the right thing: to train and to equip people. If someone is a problem, don't leave them out there on the street with 18 discipline records; take them off the street. If you don't, the whole city is going to be held to account for it. That is trying to end this. That is trying to push toward more supervision, not just trying to be punitive.

Those are the two differences that I can pick up: political and civil. Otherwise, a lot of what I mentioned that is in our bill is in their bill as well.

TIM SCOTT made a very simple statement: Why don't we put this on the floor? Why don't we actually debate the differences that we have? Why don't we have a vote, and then why don't we finish this?

Leader MCCONNELL dedicated this week and next week to this bill on police reform to give 2 weeks to do all kinds of amendments, all kinds of debate, but instead, the conversation was "No, don't want to do that; it is Speaker PELOSI's bill or nothing" or "Let's just slow the whole thing down and send it to committee and delay, delay, delay this."

Why don't we deal with this right now? There are 2 weeks that have been set aside to do it. There is plenty of time for amendments. Why not do that instead of just blocking the bill?

I don't know a lot of folks who say to me: I really don't want there to be more body cameras on the street. I don't want any more oversight on law enforcement when they turn in a false report or when they turn off their body camera.

I don't run into a lot of people who say: I want to just go ahead and leave the system the way it is.

We really don't know what is happening in a police department when there is bodily injury and harm.

I meet a lot of people who say: Those things make sense to me. Why don't we do it?

Unfortunately, that is my same question today standing on the floor of the Senate: Why don't we do it?

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

Mrs. CAPITO. Mr. President, I want to thank my colleague from Oklahoma, Senator LANKFORD, for his dedication to this issue and his very substantive output.

I was privileged to serve on the minigroup that put a lot of work into this under Senator SCOTT's very able leadership. I am thankful for the way Senator LANKFORD always approaches issues, not disparaging motives but always looking at ways to improve and make this world a better place because that is what this is about.

I have been listening to a lot of the arguments, a lot of the discussion, and I am saying to myself: If somebody watching this from afar—from Oklahoma or from West Virginia or from Vermont—I am thinking to myself, what is all this talk about 60 votes and cloture and all this? They are not focused on that. All they know is that we failed—this failed.

This was an opportunity that we should have grasped. We had a chance to discuss the need for police reform and to look at the very serious issues of racial inequalities. I am exceedingly disappointed. I thought yesterday—no, actually Monday, I thought, good, we are going to get on this bill. We are going to have a healthy debate and amendments. We are going to be in front of the American people, giving our different opinions. We are going to vote up or down, and we are actually going to have a product here that is actually going to help. But it derailed. It derailed badly. I am very disappointed by that, as I think everybody in this country should be.

Those who are protesting, those who are deeply hurt by what they have seen—they don't care about cloture and 60 votes and who gets the political point and who is going to be able to drag this to the election. They care about getting something done on a deeply emotional issue.

We know that every American is entitled to equal protection under the law. We also know there are a lot of good police officers in this country—many, the vast majority. It is clear, though, that we have a real need to improve our law enforcement so that every American can have the confidence that officers are there to serve them equally.

We should provide better resources to train police on not just deescalation but use of force and intervention, all of the issues that we saw come forward in the horrifying death of George Floyd.

We should provide more body cameras. We wouldn't have known about George Floyd had there not been a camera. I don't believe there was a camera on the officer; it was a bystander's camera. But cameras can be so incredibly useful to protect the rights of the people who are confronted and to protect the rights of the police. So we need to make sure that those are not only provided and there for our law enforcement but that they are turned on. As we saw in Louisville, they were not turned on.

We should make sure that bad police officers can't get passed from department to department and that their disciplinary actions and employment

records are there, kept either locally or—the Pelosi bill says kept at the State; the President says kept at the Federal—anyway, in any event, kept for the transparency we need.

We should eliminate the use of choke holds by officers unless the officer is in a situation where he can't get out of it, but quite frankly, I am for banning them in any circumstance.

Those statements are really not very controversial, and most Americans really agree with them. How do we know that? Both the bill introduced by Senator SCOTT and cosponsored by 47 Republican Senators and the bill introduced by Senator BOOKER and supported by many Democrats included these provisions in each one of their bills.

We have a nonpartisan Congressional Research Service that we rely on for nonpartisan advice. The quotes from their report in comparing both bills: Both bills seek to establish best practices for law enforcement officers and train officers in areas on the use of force and racial bias. Both bills would seek to increase the use of body cameras worn by State and local law enforcement—both bills. Both bills would contain provisions designed to enhance transparency concerning records of misconduct by law enforcement officers—both bills. Both bills include provisions designed to limit the use of choke holds by Federal, State, and local law enforcement—although the two statutes do differ in the breadth and approach. What happens when we differ with the House? We go to conference, and we work out our differences. But we are not having that chance today.

Given these areas of common ground, it should have been easy for us to come together and to pass that motion to begin the debate on the Senate floor. That is what we are supposed to do.

There are a few major differences in the bill, and this is where I think the American people would have really tuned in to the debate. We know that there is a difference on qualified immunity. Let's have a debate. Let's have a debate.

Had we moved forward, I think we could have ended up with a bipartisan bill that could pass both the House and the Senate and signed into law. As we are now, do you know what we have, as Senator SCOTT said in the speech he gave about an hour ago? Nothing. We have nothing. We have people on the streets of every town in America begging us to do something positive to help the situation, and today, crickets—nothing—because we couldn't get cooperation.

It would have made significant progress. I heard Senator SCOTT say—and I didn't realize this until I heard him say it on the Senate floor—20 amendments and a managers' amendment he offered in conversations with the other side, and again, no—nothing. We don't want that.

We don't have the best record on showing the American people that we

can work together and get things done, but, boy, we could have shown them that today. We could have shown them that the rest of the week as we debate those issues. I can guarantee you, on some of the sticky issues, we would have had great agreement. Maybe we all wouldn't have agreed on it, but some of each from each part of our party and each part of the country would have agreed on those issues and formulated better, smarter, more efficient legislation. We could have demonstrated that we are united in support of the civil rights of all Americans and in support of the men and women in law enforcement. Instead, partisanship was allowed to carry the day.

It should be clear, because I think it should be to the American people, that this motion—the other side says, “We don't have a seat at the table”—would have provided the world stage for their seat at the table to debate this issue.

We need 60 votes to continue, and here I am talking about the technicalities of how to get it done. But there would have been an enormous amendment process that probably would have been quite lengthy and very beneficial.

I am very disappointed. I am disappointed to tell the American people that we are listening to you, but, you know, maybe it is not in our own political benefit to cooperate to move forward, so let's just draw it out, as Senator LANKFORD said.

I think it is important to point out in the process, if we had an amendment debate, if we had a debate on the Senate floor, if we cultivated and came up with a final product, it is still within the 60-vote margin for the other side to say: No. Can't do it. It is not enough. Can't go there.

OK. At least we tried. Now we have nothing.

As we move forward—I was on several radio interviews today, and a lot of people want to know what is next. I don't know what is next. We have to do better than this. We have to do better, with what we see happening in our country and listening to the cries.

When I heard Senator SCOTT's speech, when he talked of the communities that are most vulnerable, that have the most difficulties in all of the struggles of their lives, we owe it to them to have this debate on the floor of the greatest deliberative body, the Senate.

We could have demonstrated a lot today, and it didn't work. It was denied by 44 Senators. And here we are having to go back to our constituents, go back to those folks who are very vulnerable, and say: It didn't matter enough to try to fix it. It didn't matter enough that we gave each other 20 amendments. It didn't matter enough that we were going to have the debate on the Senate floor. It didn't matter enough to have our experts come in and tell us what the best is. It didn't matter.

I hope maybe, as time goes by, it will matter because this issue is not going away, and our passion to solve it as a collective body shouldn't go away. I am

committed to seeing that it doesn't go away.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, this afternoon, we heard a lot of rhetoric. I would like to now deal with some reality. As so often happens, the reality is different from the rhetoric.

Since I last spoke on the Senate floor in the wake of George Floyd's murder, the American people's calls for justice and accountability have not diminished. Fortunately, they have grown stronger, and rightfully so. Even since then, our Nation has had to confront yet another needless killing of an African-American man, when an Atlanta police officer shot Rayshard Brooks twice in the back when he was fleeing from officers.

Now, I know from my own experience in law enforcement that nobody can dispute that police officers have incredibly challenging jobs. No one will dispute that they are faced with difficult, split-second decisions that impact life and death, but that difficulty does not excuse the fact that something is deeply wrong in our country. It does not excuse the fact that people of color have disproportionately suffered from police misconduct. People of color disproportionately are profiled by police, are stopped by police, are arrested by police, and are victims of excessive force at the hands of police.

Confronted with the killing of George Floyd, millions of Americans are demanding we do better as a nation. They recognize that longstanding societal prejudices and biases and have created a law enforcement culture and broader criminal justice system that perpetuates these prejudices and biases. They demand that we roll up our sleeves and do the hard work of ensuring that those charged with preserving the rule of law are also subject to it, that no person is above the law.

For millions of Americans, the time to act is now, but I think the Senate is acting as though it is not up to the task. On Thursday, the House is expected to pass comprehensive legislation to reform policing, and it is going to do that with Republicans and Democrats voting for it. The Senate has only advanced a patchwork of half-measures that would do little more than to place a handful of band-aids on deep, generations-old wounds.

As someone who knows him, I don't doubt at all that the legislation drafted by Senator SCOTT is a good-faith attempt at finding consensus within the Republican Conference on how to reform policing, but by any reasonable measure, the bill the Republicans have put forward actually fails to reform policing. On many of the most pressing issues, such as addressing true racial inequalities or disparities or discrimination, the Republican bill defers either by doing nothing at all or by leaving it to a future commission to study.

The Republican bill purports to create a new grant program to fund and

mandate the use of body-worn cameras, which have been instrumental in holding both the police and suspects accountable. Maybe everybody failed to notice, but Congress already created that program 5 years ago, and our Committee on Appropriations, in a bipartisan fashion, has been funding it every year since, all 5 years. This is not something new.

The Republican bill would create grant incentives to encourage police departments to change behaviors. The legislation introduced by Senators BOOKER and HARRIS would actually change those behaviors. They don't say: Here. Please do it. They say: Here. You have to do it. They do it by banning choke holds, and they ban no-knock warrants.

Unlike the Booker-Harris bill, the Republican bill would not address qualified immunity, which allows officers to evade accountability even when a court finds they have violated constitutional rights. Can you imagine anybody else in this country, when violating someone's constitutional rights, standing up and saying: "But I am in a protected group. You can't do anything about it. Bye, bye now. See ya"?

The Republican bill does nothing to address racial profiling. It does nothing to ensure that deadly force is used only as a last resort—not as a first resort and especially not against somebody who, while running away, gets shot in the back and is given the death penalty. It also does nothing to ensure there will be Federal oversight when a local law enforcement agency demonstrates a pattern of violating their citizens' civil liberties.

It is well-known that the Trump administration has effectively abandoned pattern or practice investigations and consent decrees, which are proven instruments for positive change within some of our troubled departments. That is why the Booker-Harris bill strengthens these investigations at both the Federal and State levels.

At every turn, where the Republican bill provides a talking point, the Booker-Harris bill provides real accountability and real transparency. Sadly and, I think, disturbingly, the fact that the majority leader will not even allow the Senate to debate the Booker-Harris bill reveals that he is interested in neither.

For a moment last week, it appeared that some Republicans were serious about finding bipartisan compromise. During a Judiciary Committee hearing on policing reform, Chairman GRAHAM said he would like the committee to work together to find solutions, "to sit down" and see if we could "reconcile [the policing reform] packages and come up with something in common." A number of Republican colleagues on the Judiciary Committee even expressed an openness in reevaluating qualified immunity to ensure that there would be a sense of accountability within police departments.

I agree that these are difficult issues, but certainly, based on my experience

under both Republican and Democratic majorities, I know the Judiciary Committee is capable of handling them. I know because we have done it before on tough issues. Let me give you an example.

Seven years ago, a bipartisan group of Senators—Republicans and Democrats across the political spectrum—put together a thoughtful, bipartisan bill to reform our immigration system, but the bill wasn't put here on the Senate floor with a "take it or leave it." As chairman of the Senate Judiciary, I held three hearings on the bill and then held 5 days of markups, some going late into the night. We considered 212 amendments, 141 of which were adopted, including 50 amendments offered by Republicans and voted on by both Democrats and Republicans. Our process was fair, thorough, and deliberate. What happened when it came to the Senate floor? There were 68 Senators from both parties across the political spectrum who supported the legislation and voted for it.

Now, if we could replicate that process for policing reform today—go through committee, have the debate, bring up the amendments, have the hearings, vote on something, and bring it here to the floor with that kind of strong support—I would suspect even more Senators, Democrats and Republicans alike, would support it.

Senator MCCONNELL is skipping all of that. He is not allowing the Judiciary Committee to do its work. He is not attempting to build bipartisan compromise. He is, instead, forcing the Senate to take up a wholly inadequate partisan bill or to do nothing at all. "Here, vote for this deeply flawed bill or you get nothing." That is not being the conscience of the Nation. That is not why I and many others came to the Senate. That is not how the Senate gets things done, and every Senator, Republican and Democrat alike, knows that.

So I would suggest to the leader, if he is serious about tackling racial injustice and policing reform, that there is a blueprint to follow. This is not it. I urge the majority leader to reverse course. If he is unwilling to bring meaningful legislation to the floor to address these issues today, well then, allow the Judiciary Committee to put in the hard work that is necessary to build bipartisan consensus. I am sure it could be done within a couple of weeks of actual hearings and votes in our committee.

Instead, the leader is insisting on a process that is designed to fail. In doing so, the Senate fails. The Senate fails George Floyd, and it fails Breonna Taylor, and it fails countless others who have been victims of brutality or discrimination by a flawed justice system. In doing so, the Senate also fails the American people.

I hope this is not the path we take. I voted not to go forward with a flawed process, hoping we might have a real bipartisan process. I believe the Senate

should be the conscience of the Nation. Let's be so in this. Let's go to committee, and let's have Republicans and Democrats vote for or against amendments and bring a bill to the floor.

Stop these "take it or leave it" steps by the Republican leader. Let's have a bill that both Republicans and Democrats have worked on, and then bring it up. Let's vote up or down on amendments. Let's give the American people something they can be proud of and something, finally, the Senate can be proud of.

I do not see another Senator who seeks recognition, so 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. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

PRIDE MONTH 2020

Mr. DURBIN. Mr. President, our Founders did not give us a perfect nation. Even they knew that. When Thomas Jefferson, himself a slaveowner, reflected on the existence of slavery in a nation which claimed to believe that all men are created equal, he wrote: "I tremble for my country when I reflect that God is just; that his justice cannot sleep forever."

Jefferson was not alone as a slaveowner. George Washington—the namesake of this great city and another great State, the father of our Nation—and his wife owned 300 slaves. Just minutes before he died, he asked his wife to bring the two copies of his last will for him to look at for one last time and to decide.

He handed one of the copies of the wills to his wife and said: Burn this one, and keep the other. What he burned would have released all of his slaves at the moment of his death. The one he signed said that they would continue to be his wife's slaves for as long as she lived. He was the father of our Nation. We might not have had an independent nation without his skill and leadership; yet he was not a perfect man by any means.

The true measure of a nation's greatness is not simply the words written by an earlier generation; it is the work of every generation to make those words not just ideals but facts. We see that work all around us today.

For weeks, Americans have joined together in an incredible display of constitutional petition of this government, of this Nation, for change. In cities large and small and in virtually every State, they are protesting systemic racism and police violence against people of color.

These protests have spread around the world. Videotapes and DNA evidence have done more to assault the foundation of justice in America than anything in our history.

In the midst of a pandemic caused by a new virus, a multi-ethnic, multigen-

erational alliance seems to have found a collective will to confront one of humanity's oldest viruses—the virus of racism.

It was a different protest 51 years ago this month that began one of the newest chapters of America's long struggle for equal rights. That protest is the reason that June is celebrated as Pride Month.

It started in the early morning hours of June 28, 1969, at the Stonewall Inn in the Greenwich Village section of New York City. Today, the name "Stonewall" stands as a milestone on America's journey toward equal justice, alongside such revered names as "Selma" and "Seneca Falls." In 1969, however, the Stonewall Inn was a ramshackle refuge for outcasts—a home away from home for some of the poorest, most powerless members within one of America's most marginalized communities. Its patrons included drag queens and lesbians, transgender and gender nonconforming people, homeless LGBTQ youth who lived in nearby Christopher Street Park after being abandoned by their own families.

Police raids and arrests were regular events at the Stonewall Inn, as they were at most gay bars in America at that time, but something changed during that raid in the early morning hours of June 28, 1969. Something in this great universe shifted. That night, when the police became violent, the patrons of the Stonewall Inn fought back.

The Stonewall uprising was a 6-day protest against police mistreatment, and while the protests were contained almost entirely within Greenwich Village, they changed the world.

On the first anniversary of the Stonewall uprising, the first Gay Pride parade was held in New York and Los Angeles and in the city of Chicago. Within 2 years of that uprising, there were gay rights organizations in every major city in the United States and Canada, Australia and Western Europe.

The month of June is now recognized throughout much of the world as Pride Month—a celebration of diversity, acceptance, and inclusion.

Last year, on the 50th anniversary of Stonewall, the grand marshal leading Chicago's Pride Parade was our city's first openly gay mayor, Lori Lightfoot—an incredible leader.

This year, most Pride parades and festivals in the United States and around the globe were canceled or transformed into virtual celebrations because of COVID-19, but those virtual gatherings still had much to celebrate.

We have witnessed profound progress in the half-century since Stonewall. Public attitudes about gay and trans rights have increased greatly. Marriage equality is now the law of the land. Openly gay men and women serve as corporate and civic leaders, as mayors, Governors, Members of Congress, and an openly gay, married man just ran a serious campaign for President. Gay men and lesbians serve openly in America's Armed Forces. While this admin-

istration has regrettably reinstated a ban on transgender persons serving openly in the military, trans men, women, and children are becoming more visible members in much of the rest of our society.

This June also brings a major new cause for celebration. In a landmark 6-to-3 ruling, the Supreme Court of the United States has ruled that employment discrimination on the basis of sexual orientation and gender identity is prohibited under the Civil Rights Act of 1964. This is an amazing story in history, where an ultra-conservative Congressman from Virginia in 1964 thought that he would torpedo the civil rights bill by adding the word "sex" into those bases for discrimination, thus inviting protection for women. He was sure that would be the end of the conversation. His amendment was adopted and of course led to a lot of debate on gender equality and ending gender discrimination. Little did he know—or many others—that it would lead to this historic Supreme Court ruling when it came to sexual orientation. This is history happening before our eyes, and thank goodness—thank goodness—we are alive to see it.

But work of equal justice under the law is never finished. We were reminded of that 2 weeks ago when the Trump administration released a discriminatory rule that attempts to eliminate explicit healthcare protections for LGBTQ Americans. We are reminded that the work of equality is not finished each time we learn of another victim of alarming violence—violence against Black transgender women, including the deaths of 25-year-old Riah Milton in Ohio and 27-year-old Dominique "Rem'mie" Fells in Philadelphia.

On May 29, 4 days after George Floyd's murder, more than 100 of the Nation's most prominent LGBTQ civil rights groups released a letter condemning racial violence. Their letter said that violence against transgender and gender nonconforming people of color happens "with such regularity, it is no exaggeration to describe it as a[n] epidemic of violence." The groups went on to say: "We understand what it means to rise up and push back against a culture that tells us we are less than them, that our lives don't matter. . . . Today, we join together again to say Black Lives Matter and commit ourselves to the actions those words require."

Among the organizations signing the pledge are the Human Rights Campaign, Equality Illinois, and the AIDS Foundation of Chicago.

Nearly all Americans recognize Dr. King's "I Have a Dream" speech at the 1963 March on Washington. It was a great moment in America's long struggle for equal rights. But how many of us know that the organizational genius behind that great gathering was a gay Black man—Bayard Rustin?

How many of us know the names of Marsha P. Johnson and Sylvia Rivera—

activists and transgender women of color, members of one of the most marginalized and victimized groups in America. They were also leaders of the Stonewall uprising. They both continued to fight for gay and trans rights all of their lives—until Marsha's death in 1992 and Sylvia's death a decade later.

Years after Stonewall, Marsha P. Johnson recalled:

History isn't something you look back and say it was inevitable. [History happens] because people make decisions that are sometimes very impulsive and of the moment, but these moments are cumulative realities.

James Baldwin, a brilliant writer and thinker, a gay Black man, warned us that "nothing can be changed until it is faced."

Stonewall was a tipping point. The protests today against the deaths of George Floyd, Rayshard Brooks, Breonna Taylor, Tony McDade, Ahmaud Arbery, Laquan McDonald, Tamir Rice, Sandra Bland, and so many other Black men and women and children are, in fact, a tipping point.

Let's not look away from this historic moment of change. Let this Senate join on the right side of history. Let's not let a procedural setback on the floor of the Senate stop us from finding some common ground to move forward. Let's acknowledge the rightness of this month's Supreme Court decision and pass the Equality Act to make it plain that discrimination based on sexual orientation and gender identity is illegal and will not be tolerated, not just at your place of employment but all across America in every walk of life. Let's act to end state-sanctioned violence and oppression against our Black and Brown brothers and sisters. Let's do our part, in our time, to make the noble promises of our Founders real for all Americans.

DACA

Mr. President, last week, in another landmark decision, the Supreme Court rejected President Trump's effort to repeal deportation protections for Dreamers and young immigrants who came to the United States as children.

In an opinion by Chief Justice John Roberts—an opinion which I have here—the Court held that the President's decision to rescind the Deferred Action for Childhood Arrivals Program was "arbitrary and capricious."

It was 10 years ago—10 years—that I joined Republican Senator Dick Lugar of Indiana on a bipartisan basis to call on President Obama to use his legal authority to protect Dreamers from deportation. President Obama responded by creating DACA, which provides temporary—2 years at a time—protection from deportation to Dreamers if they register with the government, pay a substantial fee, and pass a criminal background check.

More than 800,000 Dreamers came forward to sign up for DACA. It unleashed the full potential of these young men and women, who are contributing to America as teachers and nurses and

soldiers and small business owners. More than 200,000 DACA recipients are now characterized by our government as "essential critical infrastructure workers." I didn't make that up; it was a definition of President Trump's own Department of Homeland Security. Two hundred thousand of the 800,000 DACA recipients are essential critical infrastructure workers. Among these essential workers are 41,700 DACA recipients in healthcare—doctors, intensive care nurses, paramedics, respiratory therapists.

But on September 5, 2017, President Trump repealed DACA. Hundreds of thousands of Dreamers faced losing their work permits and being deported to countries they barely remember. Thankfully, the Supreme Court has now rejected that effort.

Unfortunately, the President, through his tweets, has responded by attacking the Court and threatening the DACA protectees again. But Chief Justice Roberts made it clear it is not going to be easy for the President to carry out his threat. The Chief Justice wrote that in order to repeal DACA, the administration must consider "accommodating particular reliance interests." Here is what it means: In order to repeal DACA, the administration must consider the interests of those who have come to rely on the program. This includes not just DACA recipients but their American citizen children, the schools where DACA recipients study and teach, and the employers who invested time and money in training them.

Today, I am calling on President Trump to do the right thing for our Nation and not make another effort to repeal DACA. Instead, the President should direct the Department of Homeland Security to reopen DACA. Since 2017, when the President announced the end of DACA, the program has been closed to new applicants. As a result, there are tens of thousands of Dreamers who have never been able to apply for their opportunity under DACA.

Now Congress also has a responsibility. Last week, President Trump tweeted, "I have wanted to take care of DACA recipients better than the Do Nothing Democrats, but for two years they refused to negotiate." Here is the reality: President Trump has rejected numerous bipartisan offers to protect the Dreamers.

One example: On February 15, 2018, the Senate considered a bipartisan amendment offered by Republican Senator MIKE ROUNDS and Independent Senator ANGUS KING, which included a path to citizenship for Dreamers. A bipartisan majority of Senators supported the amendment, but it fell short of the 60 votes needed to pass the Senate because of the Trump administration's opposition. On that same day, the Senate voted on the President's immigration proposal, and that amendment failed by a bipartisan majority of 39 to 60. In other words, we came close to 60 in a bipartisan effort to answer

the President's challenge. His response legislation received 39 votes for and 60 against in the Senate.

On June 4, 2019, the House of Representatives passed H.R. 6, the Dream and Promise Act—legislation that would give Dreamers a path to citizenship—with a strong bipartisan vote. The Dream and Promise Act has now been pending in the Senate, on the desk of Senator MCCONNELL, for more than 1 year.

On Monday, I sent a letter signed by all 47 Democratic Senators calling on Senator MCCONNELL to immediately schedule a vote on the Dream and Promise Act. The President has challenged us: Do something legislatively. Do something, Congress.

Senator MCCONNELL, it is within your power for us to do something and to do it quickly.

Over the years, I have come to the floor of the Senate many times to tell the simple stories of these Dreamers. These stories show what is at stake when we consider the fate of DACA.

Today I want to tell you about Diana Jimenez. She is the 123rd Dreamer whose story I have told on the Senate floor. She came to the United States from Mexico at the age of 6 and grew up in Laredo, TX. She wrote to me, and here is what she said about her childhood:

Growing up in the United States was both great and challenging. I loved the people, the culture, the language. At times it was also hard. Assimilating and learning English, a totally new language for me, came with its setbacks. Still, my neighbors, my teachers and the community around me were very welcoming. I'll never forget that.

When Diana was 13, her mother was admitted to the hospital. Because her mother didn't speak English, Diana had to serve as a translator. This experience inspired her to become a nurse.

Diana attended Texas A&M. She was on the dean's list and offered a scholarship for academic accomplishments, but she had to turn it down because she is undocumented. She went on to earn her degree in nursing and history, along with a minor in economics.

Thanks to DACA, she now works as an operating room nurse on the cardiovascular/cardiothoracic specialty team in a hospital in Austin, TX. She is married. She has a baby girl.

Here is what Diane says about DACA:

DACA means opportunity to me. I am glad I live in a country that gives me the chance to better myself if I want to. There are doors and opportunities for the taking all around me, and DACA is the key to my success.

Now Diana is on the frontlines of the COVID-19 pandemic in a State that is seeing a dramatic increase in infection. She is worried about infecting her little girl. Here is what she says about her experience:

I have come in contact with patients infected with COVID multiple times, and I will continue to do so as long as I am doing my work. . . . [E]ven though this pandemic has affected both my personal and professional life, I will continue to do my job as a nurse.

I want to thank Diana Jimenez for her service. She is, in fact, a health

hero. She is a DACA health hero. She is putting herself and her family at risk to save American lives. Can we ask for anything more? She shouldn't have to worry about whether a decision by this administration will lead to her deportation.

As long as I am a Senator, I am going to continue to come to the floor to tell the stories of people just like Diana Jimenez. It would be an American tragedy to deport this brave and talented nurse who is saving lives in the midst of this pandemic.

We must ensure that Diana and hundreds of thousands of others in our essential workforce are not stopped from working when the need for their service has never been greater, and we must give them the chance that they deserve to become American citizens.

Would America be better if Diana Jimenez was returned to Mexico, if this nurse left the operating room at that hospital, if she decided that she could no longer stay in the United States and was forced, deported to leave in the midst of this pandemic? Of course not. Every American knows that—Democrat, Republican, or Independent.

Why don't we stand together and remind the President that there are values worth fighting for, and one of them is to make sure that this land of opportunity also has room for the immigrants who bring so much to our shores.

I yield the floor.

The PRESIDING OFFICER (Mr. COTTON). The Senator from Tennessee.

BUSINESS BEFORE THE SENATE

Mr. ALEXANDER. Mr. President, I agree with the Senator from Illinois that there ought to be a legislative solution to the DACA children. In fact, we had one in 2013. We worked on it in a bipartisan way—solved a large number of immigration issues, trying to have a legal immigration system. We sent it to the House, and the House didn't consider it. I am ready to continue to do that.

I disagree with one thing that happened today, though, about bringing bills to the floor. He talked about the importance of bringing the DACA legislation to the floor. That is important once we have an agreement either in the committee or among us informally.

The second bill that is very important to bring to the floor is the National Defense Authorization Act, which has been enacted for more than 50 years and to which members of the Armed Services Committee have a chance to offer amendments.

But Senator MCCONNELL is the majority leader, and because he is, he has one right, really, which is to decide what to bring to the floor. He pushed aside the National Defense Authorization Act, which is important, and said: In these times, I think the important thing for me to do is to bring to the floor legislation on police reform and racial justice and allow the Senate to have an open amendment process. He did that in what would be the logical

way. Since he is the majority leader, he offered a majority bill sponsored by Senator TIM SCOTT and cosponsored by a number of us on the Republican side.

The vote we had a little earlier today was, shall we proceed to the issue of racial justice and police reform, starting with the Scott bill, with an open amendment process?

Now what does that mean? That means that any Democrat could offer the House bill, or any Democrat could offer any other amendment. Now we have gotten into a bad habit around here, which I know the Senator from Illinois doesn't like either, which is if he offers an amendment and I object to his amendment, and then, if I offer an amendment, he says: Well, you objected to mine; I will object to yours. And so we don't have any amendments. But we should be able to bring an important bill to the floor, whether it is DACA or national defense or whether it is, criminal justice, and say that it is open for amendment, and let's have amendments.

I think that has happened so little over the last several years that people have forgotten how to do it. If you don't like the amendment, someone can move to table it. That takes 51 votes, and sometimes it is 60 votes. If we get to the end of the process and the minority side doesn't like the bill the way it is, they can keep it from going off the floor by refusing to give 60 votes. So it was very disappointing when the majority leader has taken a limited number of weeks and said: OK, I will give a week and a half to racial justice and police reform, starting with a majority bill and offering to the entire Senate a chance to amend it. For the other side to say: No, we will not even let you go to the bill, I think is very disappointing. Senator SCOTT is disappointed, and many of us are, and I don't believe it distinguishes the Senate when that occurs.

PANDEMIC PREPARATION

Mr. President, I came to the floor today to talk briefly about a hearing we held yesterday in the HELP Committee on the next pandemic: What do we need to do to prepare for the next pandemic?

That caused at least one Senator to say: What are we doing talking about the next pandemic when we are in the middle of a big one right now and we have a lot of work to do?

We do have a lot of work to do, but I want to answer that question.

The reason we have to talk about the next pandemic is that we have short memories. Memories fade. We go on to the next issue, and we don't do everything we needed to do.

We have had public health emergencies before. Some Senators were here when anthrax drove Senators from their offices. There was SARS and the 2009 flu pandemic. There was Ebola. There was MRSA. Four Presidents—Bush, Obama, Trump, and Clinton—all reacted to those in the way you would think. They issued reports, and they

made proposals. We passed nine laws and many new regulations. We tried to do some things to be ready for the next public health emergency. We built buildings to manufacture vaccines. We created a new structure for managing public health emergency. We changed the way the national stockpile is managed. We did a number of things.

One of our witnesses yesterday was Senator Bill Frist, who was the majority leader during the mid-2000s. He said he made 20 speeches on or about 2005 when he said the only question about the next pandemic is not whether it is coming but when it will come. He listed six things that needed to be done back then. Well, the reason we had the hearing yesterday was that we didn't get all of those things done.

Now, some people might say: Well, weren't we prepared for this pandemic? And most experts felt that we were pretty well prepared. I read yesterday in the hearing a front-page story from the New York Times on March 1 of this year about COVID-19. Let me just go back. March 1 was 6 weeks after we knew about the disease. At the time, we had about 100 cases in the United States and only 2 deaths. There were many cases around the world. But at that time, the New York Times reported that experts said it is "far from certain" that this disease would spread to all parts of the country, especially at the same time, and experts believed that the United States was as well prepared as any country to deal with this pandemic. That was on March 1. Two and one-half weeks later, we began to shut down the whole country by order of the Government.

So we were prepared, but we were surprised, too, and we underestimated this virus and how aggressive it is and how contagious it is and the fact that it can travel silently without symptoms.

So Dr. Frist was one of the witnesses yesterday. Mike Leavitt, a former Secretary of Health and Human Services, former Governor of Utah, was another. Julie Gerberding, who was former head of the Centers for Disease Control, was yet another. She is now at Merck. Dr. Khalidun, who is the chief medical officer of the State of Michigan was there.

We talked about the next pandemic. Why talk about it now? Because of the things that Dr. Frist mentioned 20 years ago and the things that really need to get done, we didn't get that all done in between pandemics. Why? We have short memories. Four or five months ago we were in the middle of an impeachment of the President. That sounds like ancient Roman history today.

Our minds go on to the next crisis if we don't get things done. So the time to look at the next pandemic is while we are in the middle of this one and say: What are we lacking? What could we do better? And let's fix it while the iron is hot, while our eye is on it.

For example, one of the things that they suggested that we do—all of the witnesses—is that we have a dedicated source of funding for stockpiles and for research.

Do you think that is easy to do? I don't think it will be easy to get done. It took us years to pass the outdoor recreation bill, the Great American Outdoors Act, because of those kinds of funding issues. We are more likely to create a dedicated stream of funding for preparedness for the next pandemic if we do it in the middle of this pandemic, when we have our eye on the ball.

Another recommendation is that we should have an office in the National Security Council to provide coordination between epidemics and during the next one. That is not easy to do, either. When is the best time to do it? Now, during this pandemic, when we have our eye on the ball.

Another proposal that came up very often is that we ought to build manufacturing plants for vaccines that we don't use between pandemics and that we ought to spend the money to keep them "open and warm," in the words of Mike Leavitt, so that they are ready when suddenly a pandemic comes.

Remember, this one hit us fast. There were not many cases on March 1 and shutting down the government by the end of March. We need those manufacturing plants and that is something we haven't gotten done in the way we should have gotten done—some of it. When is the next best time to do it? Now, while we have our eye on the ball.

Strengthening our State and local public health systems—Governor Leavitt said that over the last 40 years, we have consistently underfunded our State and local health systems. They are the leaders in our effort to deal with this or any pandemic, including the next one. When is the next time to get over this bad habit of underfunding our State and local public health systems? Right now, when we see that we need it and we see what deficiencies we might have.

Now on stockpiles, in between some of these earlier pandemics, we changed the management of the stockpile, spent some money to ensure protective equipment was in there and the things we need. It turned out not to be sufficient. Why? The problem was that between pandemics, we took our eyes off the ball and budgets got tight and States and hospitals began to save money by getting rid of the things in their local stockpiles. So for all of those reasons, the things that we need to do need to be done now.

I put out a white paper a few weeks ago inviting comment from experts around the country on what we need to do now to prepare for the next pandemic. Item No. 1 was tests, treatments, and vaccines. How do we accelerate research and development? We are doing a good job now. Hopefully, we

will learn from that for the next pandemic.

On disease surveillance, there is a lot of criticism of the Centers for Disease Control's inability to gather all the data it needs to track emerging diseases in the way that it should. Now is the time to deal with that.

Stockpiles, distributions, and surges in hospitals. We had to shut down hospitals' elective surgeries, creating enormous costs all across the country. We had to come up with \$175 billion just over the last 3 months to try to help hospitals recover that. Can we not do a different job of preparing for the surge of patients that will come with a pandemic? Maybe the best time to do that is while we are in the midst of a pandemic.

On public health capabilities, I mentioned strengthening the local public health system. Then, who is on the flagpole? Is there a better way to have a Supreme Allied Commander with all the various agencies that we have today.

Those plus the need for dedicated funding are difficult issues. The answer to the question, "Why in the world are we having a hearing on the next pandemic when we are in the middle of this one?" is because for the last 20 years, between pandemics, we hadn't gotten the job done on some of the things that needed to be done that Dr. Frist mentioned when he was majority leader in 20 speeches, 20 years ago. So if we can't do it between pandemics, let's do it during a pandemic. That is what our hearing was about.

It was a good hearing—terrific witnesses, good suggestions. At the end, I asked all four witnesses to please summarize the three things that each one thought should be done this year if they could. As it turns out, they are all hard to do, and, second, most of them would not only help with the next pandemic, but they will help with the current one that we are in.

That was our fourth hearing this month by the HELP Committee. We have had a hearing on going back to college safely. We had one on going back to school safely. Those two hearings made clear to me the need for us to consider if we have another piece of COVID legislation in July, that it needs to include sufficient funds to make sure our 100,000 schools and 6,000 colleges can open safely in the fall. The way to open the economy is to go back to school and back to college and back to childcare. That will get us back to work. Two-thirds of the married families in this country have parents, both of whom work outside the home. Children aren't learning when they are let out of school in March and don't go back to school in 6 months or maybe even in 8 or 10 months, if they don't go back in the fall. So there is some health risk, but if we do our job here to provide sufficient funds in July to make sure our 100,000 schools and 6,000

colleges can open safely, that will be the surest avenue toward normalcy in the year 2020 before we have a vaccine.

We also had a hearing last week on telehealth. We have had 10 years of experience crammed into 3 months. We have gone from very little telehealth medical services delivered remotely to, in some cases, 40 percent or 50 percent of the doctor-patient visits being done remotely. Many people think that will level off at 15 to 20 percent. That would probably be the biggest change in delivery of medical services in our Nation's history. I can't think of a bigger one. Hundreds of millions of visits will be done remotely instead of in-person.

I recommended that at least the two major changes that we have made temporarily in telehealth be made permanent. Yesterday was what to do about the next pandemic.

Next Tuesday will be our fifth hearing this month, and it will include Dr. Fauci, Dr. Redfield, Dr. Hahn, and Admiral Giroir, who will give us an update on going back to school and college and work.

Mr. President, I ask unanimous consent to have my opening statement from yesterday's hearing printed in the RECORD.

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

OPENING STATEMENT

COVID-19: LESSONS LEARNED TO PREPARE FOR THE NEXT PANDEMIC

[June 23, 2020]

Less than four months ago, on March 1—when the coronavirus had caused a little more than 3,000 deaths worldwide and 2 deaths in the United States—The New York Times reported: "With its top-notch scientists, modern hospitals and sprawling public health infrastructure, most experts agree, the United States is among the countries best prepared to prevent or manage such an epidemic."

Even the experts underestimated the ease of transmission and the ability of this novel coronavirus to spread without symptoms.

Those qualities have made the virus—in the words of infectious disease expert Dr. Anthony Fauci, "my worst nightmare."

"In the period of four months, it has devastated the world," Dr. Fauci said recently in remarks at a virtual convention.

This committee is holding this hearing today because, even with an event as significant as COVID-19, memories fade and attention moves quickly to the next crisis.

While the nation is in the midst of responding to COVID-19, the United States Congress should take stock now of what parts of the local, state, and federal response worked, what could work better and how, and be prepared to pass legislation this year to better prepare for the next pandemic, which will surely come.

On June 9, I released a white paper outlining 5 recommendations for Congress to prepare Americans for the next pandemic:

1. Tests, Treatments, and Vaccines—Accelerate Research and Development
2. Disease Surveillance—Expand Ability to Detect, Identify, Model, and Track Emerging Infectious Diseases
3. Stockpiles, Distribution, and Surges—Rebuild and Maintain Federal and State

Stockpiles and Improve Medical Supply Surge Capacity and Distribution

4. Public Health Capabilities—Improve State and Local Capacity to Respond

5. Who Is on the Flagpole?—Improve Coordination of Federal Agencies During a Public Health Emergency

I have invited comments, responses, and any additional recommendations for the Senate Committee on Health, Education, Labor and Pensions to consider. This feedback will be shared with my colleagues, both Democrat and Republican.

This is not a new subject for any of the witnesses we have today.

Fifteen years ago, then Majority Leader of the Senate, Bill Frist, said in a speech at the National Press Club that a viral pandemic was no longer a question of if, but a question of when. He recommended what he calls a “6 point public health prescription to minimize the blow—communication, surveillance, antivirals, vaccines, research, stockpile/surge capacity.”

Sen. Frist is one of our witnesses today. I am including two of his speeches in the hearing record.

Our next witness, Dr. Joneigh S. Khaldun (jo-NAY kal-DOON) serves as the Chief Medical Executive and Chief Deputy Director for Health at the Michigan Department of Health and Human Services, where she has worked with other state and federal agencies to coordinate Michigan’s response to COVID-19.

Another witness is Dr. Julie Gerberding, who served as the Director of the Centers for Disease Control and Prevention under President George W. Bush, and helped lead preparedness efforts and the response to SARS, West Nile Virus, H5N1 avian influenza, and the rise of multi-drug resistant bacteria like MRSA.

Another witness is Governor Michael Leavitt, who served as Governor of Utah and as U.S. Secretary of Health and Human Services and Administrator of the Environmental Protection Agency under President George W. Bush.

Following the emergence of H5N1 avian flu, Governor Leavitt increasingly focused his efforts on pandemic preparedness. As Secretary in 2007, he said this: “Everything we do before a pandemic will seem alarmist. Everything we do after a pandemic will seem inadequate. This is the dilemma we face, but it should not stop us from doing what we can to prepare.”

Congress has passed legislation to prepare for pandemics before: During the past 20 years, four Presidents and several Congresses enacted nine significant laws to help local, state, and federal governments, as well as hospitals and health care providers, to prepare for a public health emergency, including a pandemic.

Congress provided over \$18 billion to states and hospital preparedness systems over the last 15 years to help them prepare as well.

In writing those laws, Congress considered many reports from presidential administrations, Offices of Inspectors General, the Government Accountability Office, and outside experts.

The reports contained warnings that the U.S. needed to address the following issues: better methods to quickly develop tests, treatments, and vaccines and scale up manufacturing capacity; better systems to quickly identify emerging infectious diseases; more training for the health care and public health workforces; better distribution of medical supplies; and better systems to share information within and among states, and between states and the federal government.

Many reports also warned that while states play the lead role in a public health re-

sponse, many states did not have enough trained doctors, nurses and health care professionals; had inadequate stockpiles; and struggled with funding challenges. In some instances, overreliance on inflexible federal funding contributed to these problems.

Looking at lessons learned from the COVID-19 crisis thus far, many of the challenges Congress has worked to address during the last 20 years still remain.

Additionally, COVID-19 has exposed some gaps that had not been previously identified. These include unanticipated shortages of testing supplies and sedative drugs, which are necessary to use ventilators for COVID-19 patients.

Memories fade and attention moves quickly to the next crisis. That makes it imperative that Congress act on needed changes this year in order to better prepare for the next pandemic.

I look forward to hearing from our witnesses today and I also appreciate the feedback we are receiving on the white paper. I have set a deadline for June 26 on that feedback so the committee has time to draft and pass legislation this year.

Mr. ALEXANDER. I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

THE JUSTICE ACT

Mr. CASEY. Mr. President, I rise this afternoon to speak about the bill that we voted on earlier today and the debate that has ensued prior to that vote and I am sure afterwards.

This is a moral moment for the country. I believe most would agree with that. The question is, How will our Nation respond at this moral moment?

The brutal murder of George Floyd by a police officer “shames us before the world.” I am quoting an NAACP official who said it for all of us. His murderer did shame us before the world, so did the murder of Rayshard Brooks and Breonna Taylor, and we can go on from there, with so many names that we haven’t heard before, and many that we will hear over and over.

A lot of us feel that shame. Countless millions of Americans feel that shame. They feel that sadness and they feel that anger all these weeks since that terrible moment that we all witnessed, and so many other moments before and after that. As they feel that shame and express anger and frustration, and as they protest and proclaim, as they march and mobilize, as they use their voice and cast their votes, they demand change, but not simply change in and of itself, a certain kind of change—the kind of change we see rarely in Washington these days and, frankly, rarely over the course of American history, but I think we might be in one of those moments now.

They demand transformative change. They demand, and appropriately so, systemic change to a criminal justice system that is infused with racism. Their righteous demand for change is, in fact, a petition for justice.

In the 1950s and 1960s, Martin Luther King said it well, among many things he said well, about where we were then and, unfortunately, where we are now. His words still ring true. He said: “Injustice anywhere is a threat to justice everywhere.” It is still true today in the context of this debate.

But you can go back even further than what Dr. King said. You can go back hundreds of years. St. Augustine said it well, about justice. He said: “Without justice, what are kingdoms but great bands of robbers?”

Kingdoms as bands of robbers. There has been a lot of robbery over many, many years—even generations—when it comes to Black Americans. For hundreds of years, Black Americans have been robbed of the equal protection of the law.

The U.S. Supreme Court has emblazoned on the front portico of that building, just yards from here, “Equal Justice Under Law.” So many Black Americans have been robbed of equal justice under law. They have been robbed of opportunity—the opportunity to advance in a country that would not hold the color of their skin against them. They have been robbed of that. They have been robbed of their dignity over and over, in grave ways and in other ways that people never saw—all the indignities, all the insults, and all the mistreatment. Not to mention, worse than that, Black Americans have been robbed of the chance to truly pursue the American dream.

They have been robbed of peace of mind, something that those of us who are White should think about a lot more. I should think about more, as a White male, of the peace of mind that a parent has. A father or a mother should have the peace of mind in America when their son or daughter—but often it is their son—leaves the house in the morning: Will he be mistreated walking through a neighborhood by an official of our government law enforcement or otherwise? Will he be pulled over and have his rights violated because of the color of his skin? Black Americans have been robbed of that peace of mind, in addition to so many other kinds of robbery that have impacted their lives.

So what do we do? Do we simply march and protest and express outrage? All of that is important. All of that is vital. In fact, all of that is one of the reasons we are even here talking about it on the Senate floor—people in both parties talking about it. In my home State of Pennsylvania, there are very few counties—just a handful of counties—that have not had one or two or many more protests in a State with 67 counties.

Part of what we have to do as legislators, as Members of this legislative body called the U.S. Senate, is to, in fact, legislate. Let me start with the bill that was introduced about 2 weeks ago, the Justice in Policing Act, S. 3912.

If I had to describe the bill in one word, it would be accountability. I think there is a big difference between that bill, the Justice in Policing Act, and the bill offered by the majority. Accountability is vital. It is essential. We cannot move forward and say that we have done something substantial to bring about justice and to advance the

cause of justice unless there is accountability. The bill also has very strong transparency provisions, as well as a long menu of actions we can take to improve police practices in a meaningful way. Let me start with accountability.

When we talk about accountability, we are talking about constitutional violations—preventing those violations and holding those accountable that engage in constitutional violations. We could, for example, revise 18 U.S. Code, section 242. It is, right now, as a matter of law, a violation of law for any law enforcement officer to willfully deprive a person of any right protected by the Constitution. But it is almost impossible for prosecutors to prove willfulness, and the Department of Justice doesn't prosecute very many cases in a Nation of 18,000 law enforcement agencies.

This bill would revise the intent standard, known by the Latin "mens rea"—the intent standard—to knowingly or with reckless disregard. So the change of that standard under law would make it more likely that successful prosecutions can be brought when constitutional rights are violated in a criminal manner.

The second constitutional violation provision speaks to civil liability. Reforming our civil liability laws are often referred to by a particular doctrine, qualified immunity. In cases where a citizen is a victim of police misconduct, this is a constitutional violation when it happens. Currently, a police officer who violates an American's constitutional rights is often protected by a liability shield we know as qualified immunity. This doctrine has been questioned by many. There are at least two Supreme Court Justices, who don't usually agree on much, that questioned it. Members of the U.S. Senate in both parties here have questioned this doctrine. Basically, the doctrine holds that police cannot be liable unless the conduct violates "clearly established" standards or a standard set forth in prior cases, and most courts dismiss such cases. The bill would reform that doctrine of qualified immunity to ensure that Americans can recover damages in a case where their constitutional rights are violated by the actions of law enforcement.

There are two provisions that speak to accountability. There is a third, as well, and I will not go through all of them. Accountability also means strengthening pattern-or-practice investigations by granting subpoena power to the Civil Rights Division at the Department of Justice, and also providing grants and funding to State attorneys general to conduct these pattern-or-practice investigations at the State level. The focus here, again, is on constitutional violations that are systemic in a local jurisdiction or systemic in a State agency.

What results from these kinds of investigations often are consent decrees. These consent decrees by courts are, of

course, supposed to be judicially enforced. These decrees can often ensure that a police department implements reforms. Here is one of the problems. The Trump administration has virtually abandoned this practice of bringing these pattern-or-practice investigations. The Obama administration opened 25 such cases. But even under the Obama administration, there was a constraint because of the lack of subpoena power. That should be changed.

I will just mention two more provisions. It is a long list, but I will just mention two more. The Justice in Policing Act bans choke holds and bans carotid holds. And No. 5, it bans no-knock warrants in Federal drug cases.

Now, what about the bill offered by the Republicans, the majority here in the Senate? The Republican bill does not, in my judgment, respond to this moral moment. It does not substantially advance the cause of justice because it is devoid of provisions that would impose accountability—real accountability—on law enforcement, and especially on a particular law enforcement officer who is sworn to protect Americans. He is not sworn to violate their constitutional rights. So when a law enforcement officer engages in that conduct, there must be accountability. The bill does not speak to that in a fashion that I think would bring about change.

The bill also doesn't even explicitly ban choke holds and carotid holds, meaning a choke hold that cuts off your air flow, which we know can kill someone, and also the carotid hold, which cuts off your blood flow. We know that both can be dangerous. Both can be, in fact, lethal. The bill doesn't ban them. That is the only reason, potentially, we are even here debating this, because the American people—God only knows, tens of millions—watched a police officer choke the life out of a human being, George Floyd. Without that video, I am not sure we would be here debating this bill or any bill. But the idea that this practice is not banned under this bill makes the bill woefully deficient, and I think that is an understatement.

The bill fails to ban no-knock warrants, even in the context—frankly, a limited context—of Federal drug cases. It doesn't do that. That kind of a ban might have saved the life of Breonna Taylor, for example. The Republican bill doesn't prohibit racial profiling, and it provides no change—no substantial change—in the militarization of police forces.

In the end, we are here not just to debate and to focus on bills and policy in language, but we are here to talk about justice. There is a great hymn I heard in church over many years. It is rooted in the Scriptures. One of the refrains or one of the parts of the refrain of that hymn is this: "We are called to act with justice." Those are the exact words of that hymn. The first couple of lines of the hymn are: "Come! Live in

the light!" And then it goes on to say: "We are called to act with justice."

If we are going to act with justice here by way of legislation, we should listen not just to the Scriptures or to Dr. King or to St. Augustine. We should also listen to a more recent Dr. King. He just happens to be the former Education Secretary, Dr. John B. King. He just testified a couple of weeks ago in our Health, Education, Labor, and Pensions Committee, the committee that Senator ALEXANDER was talking about.

Former Secretary of Education King said the following regarding students returning to school this year, and I think it bears directly not just on these justice issues but also on the broader agenda that we should push forward to advance the interests of Black Americans and communities of color.

Dr. King, in this testimony just recently, said the following.

When our students return to school buildings, they will need additional supports as they grapple with the continued reality of racism in America and the legacy of over 400 years of anti-Blackness. The murders of George Floyd—

And then he lists some others—

[Those murders] have once again sent the message to Black students that their lives are devalued.

He goes on in his testimony to talk about the moment we are in—the moment I have called the moral moment, as have others.

Dr. John King said:

[We face a moment where] our nation's students of color and their families also find themselves enduring a pandemic that disproportionately impacts their health and safety, mired in an economic crisis that disproportionately affects their financial well-being, and living in a country that too often still struggles to recognize their humanity.

As Dr. Martin Luther King and Dr. John King, the former Secretary of Education, and others have told us, we have to make sure this is a moment we can act with justice, as the hymn tells us.

All of us, no matter where we are from and no matter what party we are in—all of us—are called to act with justice. So let us not fail to act with justice in this moral moment. Let us embrace this moment. Pass the Justice in Policing Act or something very close to that, and bring the warm light of justice to millions of Americans, especially Black Americans.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Indiana.

BORDER SECURITY

Mr. YOUNG. Mr. President, there has been a lot of talk on this floor about border security in recent years. It is amazing how much of what is said resembles what was said a quarter century ago. I am equally amazed by how the politics of border security have changed over that time period.

Earlier this week—it has been widely publicized—President Trump visited

Yuma, AZ, to highlight the continued need for border security. Now, as someone who has actually had firsthand experience with border security, I thought I would say a few words as well.

As a U.S. marine in the 1990s, I spent months in a desolate, forbidding stretch of desert—my apologies to Arizonans—that was a stone's throw away from Yuma, AZ, the same place where these Border Patrol agents stand. Now, my marines and I were part of an unmanned aerial vehicle unit. We worked with Border Patrol agents, like these gentleman, and we were charged with patrolling the border in the Yuma Sector. They were on the ground. We flew drone missions to help them collect intelligence. It is a dangerous area with heavy narcotics and human trafficking.

While there, I saw the need for greater border security. Now, uniquely, among the military services—and I know our Presiding Officer had a distinguished career in the U.S. Army—the Marines are charged, by statute, with tackling whatever mission, however daunting, the President requests of us. In fact, in 1834, Congress passed a statute right on point, indicating, under the law, that the Marines would “conduct such other duties as the President or Department of Defense may direct”—pretty broad. It is pretty broad language. When in doubt, send in the Marines, I guess.

Well, our unit's mission—not glamorous, but important then and important now—was to help make the border more secure. It is a critical mission, which remained a priority under Presidents Clinton and Bush.

Later, a physical barrier was placed in the Yuma Sector. It was years after I left Active Duty. Trafficking decreased over roughly a decade's time period by 95 percent after that physical barrier was erected. It shouldn't be controversial. It is not ideological. This is just factual. We know walls work when properly and intelligently placed.

Now, historically, there has been a bipartisan consensus around the idea that we not only put boots on the ground to protect the border but we also must invest in technology to secure our border, including physical barriers where they are required. The President was absolutely right years ago when he brought up this issue. He was right this week in Yuma, AZ. He is right today, and he will be right tomorrow as he continues to emphasize this issue. We must address this situation that is taking place along our southern border. We mustn't lose our resolve.

There are illegal crossings and smugglers who are trafficking drugs and people that have created a horrific humanitarian crisis and an ongoing national security threat. Don't take it from me. According to the United Nations Missing Migrants Project, more than 2,400 migrants have died near the United States-Mexico border since 2014—2,400 migrants over a fairly short

time period. This includes 497 deaths last year. That is a 26-percent increase from the year prior. This is a true humanitarian crisis today. It is also a national security threat.

In addition to migrants fleeing Central America, it is possible that foreign terrorist organizations could penetrate this porous border. So border security and the safety of Americans has long been and should remain a priority of all Republicans and Democrats, especially those who serve here at the Federal level.

President Trump is not the first President—underscore “not the first President”—to understand this or to emphasize this issue. When I was serving in Arizona as a marine, President Clinton was our Nation's Commander in Chief. During a 1993 press conference, President Bill Clinton touted increasing the number of Border Patrol agents and working to supply them with the best possible equipment and technology. He repeated this message on multiple occasions. Then, during his 1995 State of the Union address, President Clinton said: “Our administration has moved aggressively to secure our borders more by hiring a record number of new border guards.” President Clinton understood this, and he wasn't the last Democrat to prioritize border security.

President Obama, too, understood its importance. You see, we forget this. It is amazing how quickly we forget. Under the Obama administration, a surge of additional Border Patrol agents and resources were provided to secure the southwest border and to prevent illegal crossings. In fact, this may be uncomfortable for some, but President Obama was often called the “deporter in chief” during his Presidency, with roughly 3 million people deported under the Obama administration. Again, border security should not be a partisan issue.

Historically, both sides of the aisle have agreed that the humanitarian and security issues at our southern border must be addressed, so it is time for Democrats to partner with Senate Republicans and President Trump to secure the border and to put Americans first.

If we resolve to work together on a sensible solution to this crisis—and I resolve to—the result will be safer border towns, more jobs for American workers, fewer strains on limited government resources, and a deterrent to foreign nationals coming to America illegally and putting themselves and others at great risk.

So the Senate cannot lose its nerve when it comes to the rule of law in addressing border security. This is one area where we cannot just send in the Marines. We own this. This body owns this. Every U.S. Senator owns this issue, so we, the U.S. Senate, must work collectively. We must come together on this and work with our President to keep America safe and secure.

The PRESIDING OFFICER (Mrs. BLACKBURN). The Senator from North Dakota.

REMEMBERING SISTER THOMAS WELDER

Mr. CRAMER. Madam President, I come to the floor today with, frankly, a heavy heart and a fair bit of trepidation. My goal over the next few minutes is to pay tribute to somebody who is so special, so remarkable, so beloved, so important to my home State of North Dakota that I feel inadequate, frankly. But here I am to pay tribute to Sister Thomas Welder, who died and went to be with the Lord on Monday morning of this week at the age of 80.

Sister Thomas was for 31 years the president of the University of Mary and in the last several served as president emerita—very active. She was a member of the Benedictine Sisters of Annunciation Monastery at Bismarck. She was a dear personal friend—and not just to me but to everyone. When I say “everyone,” I mean everyone who mattered. I am unprepared, frankly, to begin to really address all that she is and was and does and means to people.

Madam President, first of all, I would like to ask unanimous consent to print in the RECORD her obituary, as well as the news release announcing her passing from the University of Mary.

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

SISTER THOMAS WELDER

[April 27, 1940–June 22, 2020]

Sister Thomas Welder, 80, a member of the Benedictine Sisters of Annunciation Monastery, Bismarck, and president of the University of Mary for 31 years, passed into eternal life June 22, 2020, at the monastery, following a recent diagnosis of kidney cancer.

Mass of Christian burial is scheduled for Monday, June 29, at 10:00 a.m. in Our Lady of the Annunciation Chapel (OLA) at the Benedictine Center for Servant Leadership at the University of Mary. Visitation will be held at OLA from 9 a.m. to 10 a.m. before the funeral. Due to Covid-19 restrictions, the funeral is limited to Welder's family and close friends. The funeral can be viewed online through livestream at: www.umary.edu/SisterThomas. A public vigil service with Evening Prayer will be held Sunday, June 28, at 7 p.m. in Our Lady of the Annunciation Chapel, with visitation prior from 1 p.m. to 7 p.m. Sunday's visitation and vigil service will also be livestreamed.

Sister Thomas (baptismal name Diane Marie) was born in Linton, N.D. on April 27, 1940, to Mary Ann (Kuhn) and Sebastian Welder. She was the oldest of three children. When she was two, the family moved to Bismarck.

A graduate of St. Mary's High School, she joined Annunciation Monastery after a year of college in Minnesota. Attracted by the community and prayer life of the sisters, she felt God's call to become one of them. As a novice, she was given the name of Sister Thomas. She made her monastic profession on July 11, 1961. Sister Thomas cherished Benedictine monastic life which she lived faithfully for 59 years.

She graduated from the College of St. Scholastica, Duluth with a bachelor's degree in music and earned a master's degree in music from Northwestern University, Evanston, Ill.

A dedicated servant leader, she gave her life to the University of Mary for 57 years.

She led from her heart and touched the lives of many. She was president from 1978 to 2009. Under her remarkable leadership, the school attained university status in 1986; tripled in size from 925 students to 3,000; added the university's first doctorate, grew on-site and online adult learning programs to 16 locations across the state, region and nation, and moved to NCAA Division II athletics.

Sister Thomas was present to students, faculty and staff. She attended student recitals and concerts, cheered at athletic events and participated in many university gatherings. She called students by name and her genuine caring attitude left a deep impression on them. She enjoyed getting to know friends of the university whose financial assistance made growth possible. After her retirement as president, she was named President Emerita and served in the university's Mission Advancement Office.

One of the most widely known and highly respected women in North Dakota, Sister Thomas loved visiting with people of all ages and walks of life. People gave her energy. She would focus her entire attention toward listening to the person right in front of her. Her enthusiastic spirit, sense of humor, and gentle nature made others comfortable in her presence. It was a joy to be with Sister Thomas.

Sister Thomas modeled many Benedictine values, such as hospitality, respect, prayer and service, with ease and grace. Benedictine values were dear to her heart. She committed herself to instilling these values throughout the monastery's sponsored institutions, the communities of CHI St. Alexius Health and the University of Mary.

She served on many state and national boards including CHI St. Alexius Health and MDU Resources Group, Inc. She received numerous honors during her lifetime including North Dakota's highest honor, the Theodore Roosevelt Rough Rider Award.

Music was one of her passions. She directed the Sisters' Choir for 46 years and gave credit to the choir for the beautiful liturgical music.

Sister Thomas was grateful for many blessings in her life. She was particularly thankful to two kidney donors who gave her the gift of life through two kidney transplants. She often prayed for and stayed connected to these special people.

A beloved woman of faith, wisdom, and humility, Sister Thomas gave all of herself to so many for so long. She will be deeply missed.

She is survived by a sister, Judy (Steve) Jankus, Navarre, Fla.; a sister-in-law, Marcia Welder, Apple Valley, Minn.; an aunt, Sister Alene Kuhn, SSND, Mankato, Minn.; 6 nieces and nephews, 11 grand nieces and nephews, one great grandniece, and the Sisters of Annunciation Monastery.

She was preceded in death by her parents and her brother, George.

Memorials may be made to Annunciation Monastery or the University of Mary.

[Posted by University of Mary, June 22, 2020]
ICONIC SERVANT LEADER, EDUCATOR AND UNIVERSITY PRESIDENT EMERITA, SISTER THOMAS WELDER HAS DIED

BISMARCK, ND.—Former University of Mary President Sister Thomas Welder, OSB, has passed away at her Annunciation Monastery home early this morning, June 22, south of Bismarck, ND, following a recent diagnosis of kidney cancer.

Revered locally, regionally and nationally as a true servant-leader for living the Gospel of Jesus, the 80-year old Welder cared for the Christ-like development of all University of Mary students and the well-being of all faculty, staff, and her beloved Sisters of Annunciation Monastery.

"Sister Thomas lived her life for others," said Sister Nicole Kunze, Prioress of Annunciation Monastery. "She was always giving to others, whether it was a smile, an encouraging word or a promise of prayer. She often said that the greatest gift you could give a person was the gift of your time, and she did that without fail. Sister Thomas modeled so many of our Benedictine values with ease and grace. She truly received all as Christ. She was intent on maintaining a vibrant connection between the sisters of the monastery and our sponsored institutions."

The Sisters sponsor the University of Mary, where the public will be able to gather and memorialize her life and lay her to rest. The celebration of Welder's life will take place over two days.

The public is welcome to join the following memorial ceremonies and funeral online through livestream at www.youtube.com/universityofmary/live. A public visitation is planned from 1 p.m. until 7 p.m. on Sunday, June 28 in Our Lady of the Annunciation Chapel (OLA), located in the Benedictine Center for Servant Leadership building on campus. A vigil service with Evening Prayer will follow at 7:00 p.m. Before her funeral at 10:00 a.m. in OLA on Monday, June 29, a second public visitation will be held prior from 9 a.m. until 10 a.m. The funeral is open to Welder's family and close friends.

Welder will then be immediately buried after Mass in the nearby Monastery Cemetery located on the west bluff next to the Benedictine Center for Servant Leadership, overlooking the Missouri River.

"Sister Thomas Welder was a rare person," said University of Mary President Monsignor James Shea. "Under her leadership and vision, the University of Mary was confirmed in its purpose to form leaders in the service of truth in renewed and ever-growing ways, and Sister Thomas's leadership touched thousands of students' lives as the university grew and expanded over her presidency. But perhaps even more than this, Sister Thomas was known for her attentiveness, her humility, her heart for service, and her love for her vocation as a Benedictine Sister of Annunciation Monastery. It was these qualities, too, which touched innumerable lives over the course of her life."

In 2019, Bismarck's CBS affiliate, KXMB TV, honored Welder for Women's History Month. During that interview, when reporter and anchor Lauren Kalberer asked Welder what she thinks about being regarded as one of the most influential women of our time, "It gives me pause. First of all, what do we mean by influence? And, what kind of a difference can we make, because, as I think of leadership, I think about it much more in terms of influence, than I do of power or control," responded Welder.

During that same TV interview, Shea commented, "Sister Thomas Welder—more than leading by words, leads by her example and by the way she treats people."

Welder influenced millions of people during her lifetime, and more profoundly, so many students during her time as the longest serving female university president in American history from 1978 to 2009. Her joyful laugh, witty humor, profound wisdom, and genuine love and respect for others were hallmarks of her character as she lived the Benedictine values. Her knack for remembering names, particularly the thousands of students, alumni and faculty, is one of her most gifted qualities that will be forever treasured.

"With an incredible ability to remember names and faces of almost everyone she met, Sister Thomas was always focused on the person directly in front of her," added Kunze. "Her attention to the details of daily lives and family members of those she met would be recalled in future encounters. Stu-

dents, faculty, staff, and guests of the Monastery would marvel when she asked about people and situations in their lives that had been discussed months, even years, earlier. She had a ready laugh and gentle nature that made others comfortable in her presence."

Welder, a Bismarck native, attended the College of St. Benedict, graduated from the College of St. Scholastica, Duluth, and earned a master's degree in music from Northwestern University in Evanston, Illinois. She is a member of the Benedictine Sisters of the Annunciation Monastery.

Welder began her career as a teacher at the university in 1963, when it was named Mary College. As president, Welder helped the school gain university status, experienced steady growth, added numerous undergraduate and on-site graduate degree programs throughout North Dakota, helped make Mary one of the premier institutions for the preparation of leaders, and fostered leadership development in students and colleagues. The Norsk Høstfest Association inducted Welder into the Scandinavian-American Hall of Fame, she received the Lifetime of Caring Award from the United Way, and on May 4, 2004, she earned the state's highest honor from Governor John Hoeven—the Theodore Roosevelt Roughrider Award—presented to individuals who have received national recognition, reflecting credit and honor upon North Dakota and its citizens:

"... Sister Thomas promotes competence in communication, a commitment to values and service to community. Her strong belief of growing into leadership through service stands as a model for North Dakota and the nation," reads an excerpt from the plaque beneath her portrait that hangs in the North Dakota Hall of Fame in the lower level of the State Capitol Building.

During the later years of her presidency, Welder endured chronic kidney complications that led to a transplant in 2001. In 2005, she learned that due to a virus she would need a second kidney transplant, but had to regularly undergo dialysis until a successful second kidney transplant could be done in 2011.

At the start of Shea's current presidency in 2009 and after her 31-year tenure as the fourth University of Mary president, Welder continued to be involved with University of Mary as president emerita—remaining active with public speaking events, committees and fundraising in the department of Mission Advancement.

In lieu of flowers, if you wish to honor the memory of Sister Thomas Welder, her love for University of Mary's students, lifelong mission of servant leadership, and genuine care for others, memorial donations are being accepted to Annunciation Monastery or for the university's Sister Thomas Welder Scholarship Fund at www.umary.edu/SisterThomas. They can also be mailed to the Office of Mission Advancement in care of the Sister Thomas Welder Scholarship Fund at 7500 University Drive, Bismarck, ND, 58504.

Mr. CRAMER. I am going to read some of the facts of her life from her obituary and do my best to fill in some personal thoughts while I do that. I am not going to read the entire thing.

It starts out: "Sister Thomas Welder, 80, a member of the Benedictine Sisters of Annunciation Monastery, Bismarck, and president of the University of Mary for 31 years, passed into eternal life June 22, 2020, at the monastery, following a recent diagnosis of kidney cancer.

"A graduate of St. Mary's High School, she joined Annunciation Monastery after a year of college in Minnesota. Attracted by the community and prayer life of the sisters, she felt God's call to become one of them. As a novice, she was given the name of Sister Thomas. She made her monastic profession on July 11, 1961. Sister Thomas cherished Benedictine monastic life which she lived faithfully for 59 years."

I recall a speech—or an interview—once at an event. In fact, I think it was during her retirement. She was asked about monastic life. She was asked: What is it that grounds you? Where is it you get your inspiration?

She said: "My wellspring are the Sisters of Annunciation Monastery."

Skipping down a little bit, her obituary reads: "A dedicated servant leader"—and we will speak to that in a little bit—"she gave her life to the University of Mary for 57 years. She led from her heart and touched the lives of many. She was president from 1978 to 2009."

I had the great honor of serving as the master of ceremonies at her 30th anniversary as president.

"Under her remarkable leadership, the school attained university status in 1986; tripled in size . . . ; added the university's first doctorate, grew on-site and online adult learning programs to 16 locations across the state, region and the country, and moved the school from NAIA to NCAA Division II athletics.

This is an important line: "Sister Thomas was present to students, faculty and staff." I will elaborate on that a bit as well.

"She attended student recitals and concerts, cheered at athletic events and participated in many university gatherings. She called students by name and her genuine caring attitude left a deep impression on them. She enjoyed getting to know friends of the university whose financial assistance made growth possible."

I went on many fundraising calls with her.

"After her retirement as president, she was named President Emerita and served in the university's Mission Advancement Office."

I had the great honor of working with her and then working for her after she hired me and then working with her again as a member of the board of trustees and sharing and serving on many boards and committees at the university.

Her obituary goes on to say: "One of the most widely known and highly respected women in North Dakota, Sister Thomas loved visiting with people of all ages and walks of life. People gave her energy. She would focus her entire attention toward listening to the person right in front of her."

Boy, do we need that lesson here, Sister Thomas. We need you to teach us.

Let me say that again: "She would focus her entire attention toward lis-

tening to the person right in front of her."

In fact, in a TED talk she did for TEDx on TV about, I think, 3 years ago or so—she was speaking to a lot of young people, of course, at this TED talk and was talking about connectivity, and she was speaking to the issue of monastic life and community and the stability that comes from being grounded in a community, while also talking about—not criticizing, mind you; she was rarely critical—but speaking of the challenges of the digital era. She said this: "The challenge is to be fully present to those around us. The challenge is to be fully present to those around us, to engage face to face with one's child, with a colleague, with a neighbor. . . ." and she went on to say "even that person who may not be in our circle of friends."

See, she didn't just speak to this value of being present; she was present. She was the epitome of always being present. In fact, her humility caused her to always deflect attention away from herself and to the person in front of her.

Earlier I mentioned that in the obituary it mentions she called the students by name, and this is perhaps the best example of what I mean when I say she was always present: The University of Mary had about 3,000 students a year by the time she retired. She knew them all by name, and when she would greet students, faculty, friends, neighbors, supporters of the university, she always called you by name—but not just you; she asked about your spouse by name, your children by name. We all thought that was some special spiritual gift—a big brain with an incredible memory that just automatically recalls people's names. Yeah, she was really smart. She had a good memory, to be sure. But she didn't call us by name because she had a great memory; she called us by name because it was important to her because she knew it was important to us. It was a conviction, a commitment that she had to being present all the time. It was a remarkable thing—a remarkable thing.

Sister Thomas modeled many Benedictine values at the University of Mary. We learned them all, all the time. The six that they highlight there are the Benedictine values of hospitality, respect for persons, prayer, moderation, service—really important, as she called them, gospel values. But she didn't just call them gospel values. She didn't just teach them, although she does a lot.

By the way, the internet and YouTube are full of her speeches on Benedictine values and other values and leadership, especially servant leadership.

"She committed herself to instilling these values throughout the monastery's sponsored institutions," which included, of course, the University of Mary and CHI St. Alexius Health.

"She served on many state and national boards including CHI St. Alexius

Health and MDU Resources Group," a Fortune 400 corporation.

"She received numerous honors during her lifetime including North Dakota's highest honor, the Theodore Roosevelt Rough Rider Award."

She earned them all. She earned them all. In fact, whenever she was complimented—which was often, as you might imagine, when you know as many people as she knows and have accomplished as much as she accomplished—she always, as I said earlier, deflected her accomplishments and gave someone else credit.

She said this in an interview once when confronted with her many accomplishments: "I have always been blessed with the sense that I can do only what I do with the guidance and the help of the Spirit." Think of that. All that she accomplished—she takes no credit but credits the fact that she was blessed with the sense that at least she was aware that the Spirit was the one that was guiding her.

Her obituary also states: "Sister Thomas was grateful for many blessings in her life. She was particularly thankful to two kidney donors who gave her the gift of life through two kidney transplants. She often prayed for and stayed connected"—connected—"to these special people."

In that TEDx speech that I talked about from about 3 years ago, she was talking about connectivity, as I said. She was challenging them. She said: "A disconnect from our cellphone or iPad makes possible a reconnect with those around us."

"A disconnect from our cellphone or iPad makes possible a reconnect with those around us."

I could share lots of personal stories. I am tempted to, but I don't think that would be the tribute she would want.

She and I made a lot of calls together. We went on a lot of road trips together. We spoke at a lot of the same events. I was always grateful when I could go first. It was impossible to follow her—an incredible speaker.

One time we were at an event—I think I was the emcee, actually—a local event in Bismarck. She gave one of her phenomenal speeches. They all are. They all were. In the audience, unbeknownst to me, was the president of the National Automobile Dealers Association. He came up to me afterwards, and he said: "Do you realize that every year we pay about \$50,000 for a speaker at our national annual meeting, and we have never had one this good?"

I said: "Well, I could get her to do it for less."

He said: "It is unbelievable. I have never been this inspired in my life."

I would just challenge everybody who has a minute and wants to be inspired to just do a quick Google search of Sister Thomas Welder, and you will find a video that will inspire you.

Every person I know who ever met her is better because they did, everybody I know whom she encountered. I once brought John Wooden, the great

wizard of Westwood, the winningest coach in NCAA history, to the University of Mary to give a speech on servant leadership. It was a remarkable time. I sat there, and as I watched Coach Wooden—he was 96 years old at the time—come up to the stage after Sister Thomas introduced him, I stood between them and I thought, wow, I am between saints, two of the best servant leaders, who both taught and lived that incredible value.

As I said, my heart is heavy. It is hard not to be sad. Yet Sister Thomas and I, of all of the things we talked about over the many years that I worked with her and for her, talked mostly about matters of faith.

I am not Catholic. I do have a degree from the University of Mary. I am on their board of trustees. I love the place. I love the Sisters of Annunciation Monastery and Sister Thomas especially because she embodies all that is good about them. But we always talked about matters of faith.

I will never forget one trip to Fargo. I will never forget, in fact, where we were—sitting in my car, waiting to go in to call on somebody about a gift to the school. And we talked about Heaven. She said: “I think we’re going to be surprised at who we will see there.” And I thought, yeah, you are probably right.

She gets the blessing of being there first now and seeing who all is there, but there will be a lot of people there who know her, and they are looking forward to welcoming her and thanking her for the incredible gift she was in their life. I look forward to the day when I can go and be welcomed by her. I am grateful for her life.

I love you, Sister Thomas.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. CORNYN. 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. CORNYN. Madam President, I hope today’s events in the Senate will not soon be forgotten by the American people. Over the last few months, it is an understatement to say that our country has experienced unprecedented physical, financial, and social turbulence. From the pandemic, to the economic challenges that came on its heels, to the widespread protests against racial injustice—the needs of our country should have transcended politics. Unfortunately, that does not seem to be the case today.

We had been on a pretty good run, Republicans and Democrats, and put aside our differences to pass bold and transformative legislation to support our Nation’s fight against COVID-19, as well as ease the ensuing financial fallout. I had hoped that trend would con-

tinue as we work together to address the injustices that still persist in our society, beginning with police reforms.

As we all know by now, thanks to our friend Senator TIM SCOTT and others who worked with him, we introduced the JUSTICE Act to enact real and lasting reform so we can begin to restore the broken trust between minority communities and our law enforcement agencies. This package of bills addresses some of the most pressing changes that Americans have been calling for—ending choke holds, better training for our police officers, accountability for body cameras, more diverse police forces, and the list goes on and on.

We know it wasn’t the only bill that has been introduced in this Senate. Our Democratic colleagues introduced a bill of their own, which would address many of the same issues. While there are some important differences between the two, what to me is more important is that there was a lot in common, a lot of overlap between those two bills. That should have, in a normal time, when people were logical and reasonable, put us on a strong footing to begin debating the ultimate product, which is what our Democratic colleagues actually asked us to do.

A couple of weeks ago, the Democratic leader came to the floor and urged the majority leader to bring a police reform bill to the floor to be debated and voted on before July Fourth. When Senator MCCONNELL did exactly that, what did they do? As soon as they were told they would actually have a chance to vote on a police reform bill, they changed their tune—a 180-degree change.

It kind of reminds me a little bit of last year’s debacle over the Green New Deal. After this resolution was introduced, a number of Senate Democrats rushed to endorse it, but when given the opportunity to vote on the resolution they were praising, what happened? Not a single one of those individuals on the other side of the aisle voted for it—not one. What kind of games are they playing here? Senator MARKEY, who introduced that resolution in the Senate, even accused the majority leader, who scheduled a vote on a bill he was the lead sponsor for—he called it sabotage.

History seems to be repeating itself and not—not—in a good way. Our friends across the aisle, who have been asking to debate and vote on a police reform bill, this morning had that opportunity, but once again, they pulled a 180.

Let me be clear on what we were voting on this morning. This was not a vote to finally pass the JUSTICE Act as is, without any changes or amendments; this was simply a vote to begin debating the bill. You can’t finish a bill, you can’t actually vote on legislation if you are unwilling to start. And that is exactly what happened this morning.

Knowing that Republicans and Democrats did have some differences, even

though there is a lot in common, Leader MCCONNELL provided for the opportunity to have that debate right here on the Senate floor. We could have had that debate in front of the American people. I think it might have helped, No. 1, as Senator SCOTT likes to say, send a signal that we actually are listening, we hear you, we see you, and we are responding to you—no backroom negotiations like apparently what our Democratic colleagues want; rather, an open and honest debate right here in full view of the American people.

Our Democratic colleagues refused to participate in the process and have blocked us from even considering police reform legislation. This “my way or the highway” legislative strategy we have come to expect from our colleagues is absolutely shameful, and it is counterproductive.

I remember talking to Rodney Floyd—George Floyd’s brother—shortly before his funeral, and he said: Senator, we are from Texas. What we want for George is Texas-sized justice.

I said: Rodney, I am going to do my very best to deliver.

Unfortunately, even though there were many of our Democratic colleagues who decried the cruel and tragic death of George Floyd, when it came time to step up and actually do something about it, they absolutely refused.

Let me just go over quickly what the bill would have done as proposed. Subject to amendments and votes, there would have been multiple opportunities to stop the bill if it wasn’t heading in the direction they liked.

First of all, this would have made lynching a Federal crime. That provision in the bill was actually authored by Senators HARRIS and BOOKER, but believe it or not, they filibustered and blocked their own bill.

The JUSTICE Act would have ended the choke holds and prevented this dangerous and outdated tactic from being used in police departments across the country, but what did our Democratic colleagues do? They blocked it.

This legislation would have helped local police departments improve minority hiring so that the departments would look more like the communities they served. Our Democratic colleagues blocked that too.

This bill would have strengthened the use and accountability for body cameras, improved access to deescalation and duty to intervene training, and established two commissions to give us a better understanding of the challenges that need to be addressed in the long run. What did our Democratic colleagues do? They blocked each and every one of these things without even taking the time to debate.

Frankly, it is insulting to the memory of people like Mr. Floyd and others for whom so much empathy and sympathy and concern was expressed that when the time comes to actually do something, they come to this empty-handed.

For weeks, we have watched people of all races and cultures and backgrounds

marching and demanding action. They want to see greater transparency and accountability. They want better training and education for our police officers. They want to know that at the end of the day, the color of your skin will not determine the nature and outcome of an interaction with a police officer. I agree with each of those points, and until this morning, I believed every Member of the Senate did as well. But the actions we have seen this morning blocking this legislation, stopping us from even debating the bill, offering amendments, trying to make it better—I guess I was giving our colleagues credit, which they clearly do not deserve.

The problems that led to the death of George Floyd, Breonna Taylor, and other Black Americans have not gone away, but our Democratic colleagues have proven they are more interested in politics than solutions.

Let the record reflect that this morning, the Senate had the opportunity to take the first step toward passing reforms that would begin to heal the divisions and distrust between law enforcement and the communities they served, and our Democratic colleagues unequivocally and shamelessly stood in the way.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

JUDICIAL CONFIRMATIONS

Mr. BARRASSO. Madam President, I come to the floor today to discuss Republicans' historic record on confirming judges and why it matters to our country. It is because the rulings of these judges affect all Americans.

The Republican-led Senate has seated President Trump's highly qualified judicial nominees at lightning speed. These judges respect and uphold the rule of law. This week, the Senate marks a major milestone by confirming the 200th—200th—Trump judicial nominee.

The appeals court nominations and confirmations are especially critical. These are the circuit courts, and they rank right below the Supreme Court. Their decisions have a major impact on our Nation. With the confirmation of Cory Wilson to the Fifth Circuit, we have now filled all 53 appeals court vacancies that existed in the United States. There is not a single vacancy at that court level in America.

We have changed the makeup of powerful appeals courts like the Second, the Third, the Ninth, and the Eleventh circuits. Seven of the 12 U.S. circuit courts are now at a point where they have a majority of Republican-appointed judges.

The 200 judges we have seated represent a sea change—a generational change in the Federal bench. I remind you that these are lifetime appointments, so they will decide cases for decades.

Let me assure people who are tuning in today: These judges will apply the law as written. They will not legislate

from the bench. We have had enough of that. Republicans are stemming this liberal judicial tide that we have lived with in the past. We are delivering on our promise to promote an independent judiciary.

This concept is key to upholding our Constitution's separation of powers and our system of checks and balances. Simply put, it is the glue holding our democracy together.

The Constitution limits the power of the judiciary. Only Congress makes law, not the courts. That is not the way some courts like to operate. The courts interpret the law as a separate, coequal, and independent branch of government. That is what the Constitution tells us. And the judges' job is to follow the law, period. Yet, for decades, Democrats have hijacked the courts. They have sought to make their preferred policies through something known as judicial activism.

Activist judges have used the bench to make liberal laws or interpret laws in a very liberal way. Rather than decide cases impartially, liberal judges have a habit of favoring the left. The result has been a slew of radical reforms. These include promoting onerous overregulation that hurt farmers and blocking the President's efforts to secure the border.

Republicans are replacing these liberal activist judges with Trump-appointed constitutional conservatives. These judges are ruling right now all across the Nation. If you ask "How are they making a difference?" they are doing it by protecting our constitutional rights, by safeguarding our individual freedoms, and by checking unbridled government power.

These judges are blocking Federal overreach. They are preventing Washington bureaucrats from inventing endless rules. They are upholding pro-life precedent and recognizing the right to school choice. They are defending the Second Amendment, securing the border, and protecting our First Amendment rights, including free speech and religious liberty.

Above all, Republican-appointed judges are applying the law as written; they are not making law from the bench. This has Democrats worried. You have seen it. You heard the comments on the floor and around the Nation. Democrats are worried they are losing control of the courts.

Senator SCHUMER, the minority leader, is so worried, in fact, that he even threatened harm to Supreme Court Justices who don't rule his way. He recently stood outside the Supreme Court, and he yelled at the court building and the Justices inside. He mentioned Justices by name and said: "You have released a whirlwind, and you will pay the price!" "You will pay the price!" This is how the left tends to operate: intimidation. Do what we say, give us control, and then the intimidation will stop.

They are threatening the independence of the judiciary in other ways as

well. Democrats have announced their plans to pack the Supreme Court. They have announced they will pack the Court with Justices friendlier to their causes.

The standard we all know for the Supreme Court is nine Justices. In fact, it has been nine Justices since 1869—for over 150 years. Yet they want to change this longstanding precedent by actually increasing the number of Supreme Court Justices, taking it from 9 to 11. Some are proposing going to 13 if a Democrat is elected President and they have control of the Senate.

Let us be clear: Court-packing amounts to deck-stacking by the far left.

Democrats want to regain power, tip the scales of justice, and deliver their leftwing agenda any way they can. If Democrats win the election, as they have threatened, they will pack and stack the Court with impunity.

The stakes in this upcoming election could not be higher. The next President will appoint maybe more than 60 circuit court judges and possibly another Supreme Court Justice.

This is about ensuring justice. It is about ensuring fairness. It is about ensuring freedom for all Americans. Republicans, through today confirming our 200th judge to the courts, are stemming this liberal judicial tide. We have delivered generational change on the bench. We must continue confirming well-qualified judges who will secure our freedoms and our future.

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

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

S. 4049

Mr. INHOFE. Madam President, on Tuesday night, Senator REED and I had the honor of filing S. 4049, the 60th annual National Defense Authorization Act. Think about that—60 years. This is something we are always pretty confident we will eventually get passed. To me, it is the most significant bill of the year, and we have been doing it now successfully for 60 years. It is what we consider every year, and we know it is going to pass because it has always passed, but it is also about taking care of our troops and defending our country.

There is a document no one reads anymore. It is called the Constitution. It talks about what our primary responsibility is, which is to defend America. We are in a much more dangerous position today than we have ever been before, so I think it is fitting that we are doing this ahead of the Fourth of July, our Nation's birthday. We wouldn't have our freedoms without our men and women in uniform from the past and present, and that is

who we are dedicating this to. They are the beneficiaries of what we are doing as we are the beneficiaries of what they are doing.

It is why we can all come together and finish this bill by next Thursday, I would still like to say, even though there is opposition to this. I say that because it would be the last day before the recess that is coming up, the Fourth of July, and I think it would be good if we could do it that way. There is a reason for that, but we are also realistic, and we are not sure we are going to be able to do it, but we are going to make every effort to do it.

One thing about working with my partner over here, Senator REED, is that we have always operated in a very cooperative manner, and we have supported each other. He answers to his Democratic friends, and we bring them together because of the relationship that we have on this committee. So I think there is always a possibility we can get this done.

Both Senator REED and I would like to use an open amendment process. This is a process that would allow for all of our Members to come in and do what they have to do and do what they want to do with regard to things they want to have in the bill. We were not able to do that over the last couple of years because we had objections.

One thing about the Senate is that everything operates on the basis of unanimous consent, so if we have someone who objects, we are unable to do it. Hopefully, that will not happen again this year, and we will be able to use the open amendment process.

In having said that, it is not going to be nearly as significant this year because what we did in this year's bill is to have actually made an appeal way back in February to our Democrats and Republicans, not just to those on the Armed Services Committee but to those in the entire Senate. This last February, we said: Start getting your amendments ready. Don't wait until the last minute. Get them out there so we can talk about them and prepare them for ultimate votes. So people actually started. They were warned at that time that we didn't want to wait until the last minute to do this. This is the first time we have been able to successfully do this.

Of all of the items that are in this bill—this bill that I consider to be the most significant of the year—40 percent of the input came from our Members of the Senate, and 40 percent of it came from the administration and the Pentagon, so that all of those things have already been treated once. Now, I have been around here long enough to remember when that 40 percent wasn't 40 percent—it was about 6 percent. We didn't get the input of the Members like we do today. We just operated differently at that time. This is the third year that I have been involved in this when we have been able to get a higher percentage of input from the Members. I think that is something that is work-

ing well, and it has already given the Members time to participate.

I will put this a different way. The bill includes nearly 600 requests for amendments from the members of the Armed Services Committee and almost 200 requests from Senators who are not on the committee. They are the ones who have put this bill together. With the Members' input already in there, I am confident that we have a solid bill that reflects the needs we have and that it will not be as necessary to have more amendments since that is what we have already done.

If we want to finish this bill by the end of next week, we will need to reach a unanimous consent agreement before this Friday. I understand there may be an objection to this that could happen, or there could be a change of mind. It is still my hope that this will take place. There is a reason for that, too, in that the House will be working on its bill right after we come back from the recess. We are just running out of time, so we need to get this started.

We are putting in the managers' package a bipartisan set of amendments that we can all agree on. I ask all of our Members to get those in by this coming Friday. Even with that, it is going to be necessary for the staff to work all the way through the weekend to put it in position. We know we want to complete the first managers' package, so the amendments will have to be filed. Keep in mind that Senator REED and I have that as a deadline for getting those amendments in.

In recent years, we have been able to consider many amendments on the floor. As I said earlier, I hope we will be able to do that again, and it may or may not happen. If a Member has an amendment and wants to debate it on the floor, we also need to know that the Member desires to have a debate so that we can work that in.

Lastly, as Members are working through their amendments, please be thoughtful that we shouldn't get bogged down with a lot of amendments that have nothing to do with national defense. This is the NDAA, the National Defense Authorization Act. We should be talking about military. Yet one of the things that is characteristic about this is that, for as many years as I have been here and since this is the one bill that is going to be a must-pass bill and a must-pass bill this year, the people who were not able to get their bills in or amendments in on other bills wait until this comes along and try to do this with amendments. I am discouraging that from happening, and I hope that it doesn't happen. What is most important here is that we take care of our men and women in uniform. That is what it is all about. They are all volunteers, and they are deserving of our support.

Again, my message to Members is to get their amendments filed as soon as possible. As I noted, this is the 60th annual NDAA. For the last 59 years, Congress has always passed an NDAA on a

bipartisan basis. That is a big deal, and it is not a legacy we take lightly. I have been privileged to participate in this process as a member of the big four. I will tell you how that works.

We do our bill, and the House does its bill. We go to conference, but we are still not able to get together, so they take the big four, which constitutes the ranking Democrat and Republican in the House and the ranking Democrat and Republican in the Senate, and the four of us sit down and get it done. We have done that several times in the past. It is the stopgap. It is the one last thing that we have to do if we are not able to do it any other way.

Every year, we are told there are things we can't accomplish. Every year, we are told there is no way we can find common ground. All of this happens, but, always, we do it, and our grand, bipartisan tradition continues just, as it will this year. The reason is simple: Failure and, worse, failure on the backs of our servicemembers is just not an option.

While we are doing this, what I will remind everyone is that our military was hurt pretty badly under the previous administration. I always admired President Obama. He had a different agenda, and consequently we had some problems. I would say this: In the last 5 years of his 8-year administration—that would be from 2010 to 2015—our defense spending dropped by 25 percent. That has never happened before, and we have been working to rebuild since then. We are not quite there yet, but we have made great headway. It is easy to cut our military, to reduce readiness, to slow down production, and all of that, but it is harder, not to mention slower and more costly, to rebuild it. That is what we are in the middle of right now.

So that is what this is all about. It is a significant bill, and it is something we work on all year long. Then it comes time for it to come to the floor, which is where we are now.

I have to say this: I can't think of anyone I would rather have as a partner than Senator REED. Senator REED and I have worked together for many years, and we have a way of getting along with each other and of coming to conclusions and the right decisions. It has been an honor for me over the years to have worked, as we are this year, with Senator REED. We are going to get a good bill done.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Madam President, I rise to join my colleague and chairman, Senator INHOFE, to discuss the fiscal year 2021 national defense authorization bill.

I begin by thanking Senator INHOFE for his leadership in ensuring that we had a bill to consider this year. This was an extraordinary year. Social distancing just began as the Armed Services Committee was finishing our hearings and getting ready to go into

the markup for the national defense authorization bill. Despite the uncertainty, the unusual challenges—the logistical challenges particularly—Senator INHOFE ensured that the bill was written and that the markup was held on schedule. He should be commended for this accomplishment. It is a tribute to his leadership, to his wisdom, to his common sense, and to his common decency.

So thank you for that, Mr. Chairman.

I also want to take a moment to thank the staff. Both the chairman and I operate under the same rubric: They do the work, and we get the credit. It works for us—their work for us. They do a superb job. They found ways to draft the legislation. Yet they, too, were disrupted. Their work spaces were separated, and many had to work from home. So this has been an extraordinary achievement, and it is a tribute to their commitment, to their professionalism, to their skill, and to their collaborative, bipartisan effort. I thank them for that.

As the Senator, the chairman, has said and emphasized several times “bipartisanship.” This has been the hallmark of this legislation for many, many years. We recall colleagues, going back to John Warner and Sam Nunn and others, who had the attitude that “we have to work together.” Again, let me give the chairman credit for preserving that attitude, for insisting upon that attitude, and for really getting, I think, the best out of the committee because of his example and of his setting a tone.

We have differences in the bill, but we are strongly behind this effort. One of the things that I think we have been able to do is to figure out what might be a point of difference and that, if it comes to down to it, we take a vote, and we move on, and we get the bill done. That is what we did this time. We look forward to being on the floor and to doing the same thing—taking amendment proposals from our colleagues and trying to deal with them. If we can include them in the bill unanimously, that will be great. If we need a vote, I hope we can have debate and get a vote.

We all understand that the bill provides the Defense Department with the resources it needs, particularly to ensure that the men and women who defend us have the resources they need not only to fight the fight but, when they return, to have a quality of life with their families themselves that is in keeping with their sacrifice and their service. This bill does that. It also funds at the caps set under the recently enacted Budget Control Act of about 2 years ago, so we are providing the much needed stability the Department needs. It will include many items that benefit the families and military members, and I will go into those details later in our discussion.

Now, 2 weeks ago, the committee took up the bill in the markup. Again, under the leadership of the chairman,

we had a very good day of discussion and debate, and the bill was adopted by the committee with a strong bipartisan vote of 25 to 2. This legislation is coming to the floor with overwhelming bipartisan support, and as the chairman indicated, one reason is that he solicited the input of all of the members. We and our staff tried very vigorously to incorporate those proposals and ideas of all members, and at the end of the day, it was a strong, overwhelming vote.

But even though we did consider, as the chairman said, hundreds of different proposals by members of the committee and Members of the Senate, there are still issues that will come before us. That is why, on the floor, I hope we will have, as the chairman indicated, an open debate, that we will consider amendments—hopefully do so under reasonable time constraints so that we can get a lot done—and then, at the end of a vigorous debate, be able to vote for a bill that will advance the welfare of the men and women who serve and advance the common defense, which is our constitutional responsibility.

Again, I thank Senator INHOFE and look forward to the consideration of this bill.

Mr. INHOFE. Madam President, let me just make one other comment.

Senator REED talked about the staff and what the staff has done. When I talk to people back in Oklahoma about how hard a lot of these people work, they think of people in government as not caring to really spend the time and make the effort.

I mentioned a minute ago that our staff is going to be working all this next weekend, and they have been working every weekend, that I can remember, to get this thing done.

There are two people in particular—John Bonsell and Liz King. Liz King is the top adviser and manages things for Senator REED, and John Bonsell has done the same thing for me. He actually was my MLA many years ago. When you see how hard they work and their long hours—early in the morning until late at night and then on weekends—I just really want to say, not just of those two individuals but of the people they have working for them, that I have never seen a harder working group. Their job, I guess—I say to my friend Senator REED—is to make us look good, but they are the ones who do the work.

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

The PRESIDING OFFICER (Mr. CRAMER). Without objection, it is so ordered.

REMEMBERING SISTER THOMAS WELDER

Mr. HOEVEN. Mr. President, I rise today to honor an influential and be-

loved North Dakotan, Sister Thomas Welder.

I know the Presiding Officer knew her very well and just a little bit ago spoke about her here on the Senate floor, and that is so appropriate. She was such a wonderful person, and we both are so very fortunate to have known her and to have had time with her, to have learned much from her. She is truly somebody who I think epitomizes the term “servant leader.”

Sister Thomas Welder was somebody who for me was a friend and a mentor in so many different ways, it is hard to recount, and also for my wife Mikey. Sister Thomas Welder dedicated her life to the University of Mary and the students, and my wife Mikey is on the board of trustees at the University of Mary, so Mikey and Sister Thomas worked together for many, many years and share an unbelievable bond as well. I am not even sure how long Mikey and I have known Sister Thomas; it has been many years. We have seen her in so many different capacities and so many different ways, but without fail, she was an inspiration—an inspiration for both of us and frankly an inspiration for anybody who ever met her. She truly was one of the most exceptional, amazing, wonderful people I have ever met. She was certainly a person of incredible faith, and she lived her faith, and she provided that to others, certainly in her words but in her deeds and in her spirituality, in the way that she handled herself, in her spirit and compassion, and it affected everyone she met. Everyone she met felt that radiant glow and reflected it back because it was so powerful within her.

She was a member of the Benedict Sisters of Annunciation Monastery and faithfully lived the monastic life for 59 years.

From 1978 to 2009, she served as the president of the University of Mary and was, as I say, beloved by students and faculty. Under her leadership, the university did amazing things.

I think for a time the Presiding Officer worked there at the University of Mary during her tenure as president of the school. She grew the enrollment—I think tripled the enrollment.

She was a gifted leader, an inspiring leader. She led by example. I think one of the most amazing things about her—a story you hear about over and over again; people marvel about it. When she originally came back after her schooling at the University of Mary, she taught music, but she eventually became president of the university. Even after she was president of the university and Monsignor Shea became president of the university, she stayed and continued to work with the university and the students.

One of the amazing stories that people would talk about and marvel at is how she would go on campus and she would meet all the students. So she got to know them all, thousands of students. She knew all the faculty and administrators and that kind of thing because they were there all the time. But

she would get to know all the students, and without fail, she would remember those students' names. She went around the campus, and it wasn't just "Hi, how are you?" She knew the students. She knew their names. She knew who they were. People would marvel not only that she was able to do that, but she never seemed to forget a name. You have to remember, there are thousands of students, and they are there for a while, and they move on and more come in.

It is one thing to know the faculty and administrators and those kinds of things and people who are there year in and year out, but think about the flow of students coming through, and to know them and know them by name—I think it is not only a testament to her but a testament to the University of Mary, where they really make those young people feel special and feel that they are an individual who is somebody, who has worth. They are not just another student at the school; they are somebody special. She made them feel special because she knew them, she took time to talk to them. She always had time to talk to them. She had a lot of important things to do, but she always took time to talk to them and make them feel appreciated.

When we think about sending our son or our daughter off to school, that is certainly something we would want, is when they go to that school, there is somebody there who says: You are an individual. You are unique. You are special. You are not just a number, but you are here, and I appreciate you, and I am here for you.

That is what she did for those students—not just when she was president but even after she retired as president. That is what she did because that is who she was.

That is just one story, but that is part of her special gift—her special gift—and she gave it to everybody. She gave it to everybody. She gave that gift of her time, attention, compassion, and spirituality to everyone. I don't know that I ever saw her in any setting where that wasn't exactly what she was doing. That is why I say she did epitomize that concept of servant leadership.

As Governor, I was privileged and honored to award Sister Thomas the Theodore Roosevelt Rough Rider Award. That is our highest recognition in North Dakota. That is the highest award we give. As part of it, we then hang the individual's portrait in our State capitol, and along with the portrait, there is also kind of a bio that is right there so that people going to the North Dakota State Capitol can see the people from across our State who are inspirational leaders. The pictures are a montage, so that you put up things in their life.

In the case for Sister Thomas, she went to the University of Mary there, and they can see and get a visual sense of what the person looked like, the important things they did, and then we have a bio that goes with it.

I am going to reference just a couple of the lines we have in the bio we put in there:

Sister Thomas is recognized as a woman who lives, serves, and leads by example. Her personal achievements, character, and leadership have been an inspiration to countless individuals, students, entrepreneurs, and business and state leaders. Envisioning the University of Mary as the Nation's premier institution for the preparation of servant leaders, Sister Thomas promotes competence, communication, commitment to values, and service to community. Her strong belief in the ability of an individual to go into leadership through service is an example for North Dakota and the nation.

There is a lot more, but those were some of the things we put in there to try to capture who she was, what she did, and what a difference she made in the lives of so many.

As I say, I don't know that I ever met anyone who didn't immediately like her, but it was more than that. I mean, there are a lot of people who are likeable, affable, and amiable. She was all of that. She was very, very likeable. She had a great smile, good wit, and good humor. She was a really good speaker. She was always very prepared, always had a good message, and was well-spoken, but she had a great smile and a ready laugh, and she immediately made people feel comfortable. You could see how she would lean in and gaze in on them and just start to say: Tell me about you. Give me some of what you are. A little bit of what is your spirit, what moves you, what makes you. What are you interested in? What do you like? How are you feeling?

She just did it naturally.

I just, again, can't think of anybody who ever met her and didn't come away saying: You know, I like her, but she is special. She made me feel good. She made me feel good. She seemed interested in me. She is genuine. She cares. She made an impact on me.

They remember her, and it was positive, and it was strong.

Mikey and I extend our deepest condolences to her loved ones, and when I say her family, she had a huge family because everybody she met was basically her family, all those kids and all those students. We want to express our sincere appreciation for her lifetime of service and her commitment to her community and her commitment to God. Sister Thomas was patient, Sister Thomas was wonderful, Sister Thomas was beloved, and Sister Thomas will be missed very, very much. God bless her.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

THE JUSTICE ACT

Mr. GRASSLEY. Mr. President, today my colleagues on the other side of the aisle voted to block consideration of the JUSTICE bill. This happened to be the first major piece of police reform legislation in years.

To be clear, this vote wasn't a vote to pass the bill in the Senate. It wasn't even a vote to limit debate on police

reform. It was a vote on whether we could simply begin debate on police reform.

We are standing now on the floor of what is called the world's greatest deliberative body, the U.S. Senate. Yet my colleagues on the other side wouldn't even entertain a debate on an issue that has stirred our Nation and shaken it to its core.

We know why we are here. There was a murder of a citizen in Minneapolis—George Floyd. There have been peaceful demonstrations all over the country since then, and Congress's time to respond probably—probably should have responded years ago, but this has brought to a head that we need police reform.

Yes, we are in the world's greatest deliberative body, we are told. The Senate's legacy and prestige are built on our ability to debate and discuss legislation, to address the most pressing issues before our country. My colleagues on the other side have robbed the American people of the opportunity to pass meaningful police reform.

On the other side, they argue that the JUSTICE Act doesn't go far enough and that their version of police reform is the only bill worth considering. All the brains in the U.S. Senate are on the other side of the aisle, is more or less what they are saying. I want to remind them that we live in a country with diverse ideas and varying opinions. Debating those differences is the only way to make meaningful reform.

Democrats complain that their views weren't represented in this bill. Well, the JUSTICE Act contains a number of proposals that actually have bipartisan support. Even if that wasn't enough for them, every Democrat would still have an opportunity to make additional changes.

On our side, Senator TIM SCOTT of South Carolina led this effort for all of us. Forty-six of us are joining him. I hope the other seven will join in as well. But that is just Republicans, and this is a bipartisan bill—presumably not bipartisan enough to satisfy the other side but still bipartisan—and they wouldn't let us move ahead.

Senator SCOTT made clear when the bill was introduced last week that he was interested and willing to discuss changes. Leader MCCONNELL pledged an open amendment process. Even Speaker PELOSI noted that she welcomed the opportunity to conference the Democratic House police reform bill with Senator SCOTT's JUSTICE Act.

Instead of letting our time-honored legislative process work, my colleagues sent a letter calling the JUSTICE Act "unsalvageable." Let's remember—these are the same Senators who insisted that the Senate consider a police reform bill before the July recess, which starts next week. Now that they are getting what they asked for, they say they don't want it anymore—at least that is what their vote tells me today.

My question is, What are they afraid of? Are they afraid of losing control of

the process if it goes to a vote? Well, then, they are afraid of democracy. They are afraid of the American people who elected each Senator in this body and trusts each Senator to represent them by voting on legislation.

Are they afraid that their ideas won't be adopted? The JUSTICE Act has many similarities to the Justice in Policing Act. We want to find a way forward on a bipartisan basis. If ideas have merit, they will have to be voted on and be included.

Are they somehow afraid that if we make progress, it will be perceived as giving the President and his party a win? I have been around here long enough to know that in an election year, it gets harder and harder to get things done because neither party wants the other to get any credit for anything or have an advantage. But on an issue as important as this, it is the height of cynicism and hypocrisy to prevent progress to gain political advantage.

I am reminded of a Scripture: "For what shall it profit a man if he shall gain the whole world but lose his soul?"

The American people expect better. I know that my fellow Iowans expect better. Frankly, I expect better as well.

I hope my colleagues reconsider their obstruction and let us get on with crafting a bipartisan police reform bill. I know my colleagues on the other side share our desire to deliver for our constituents. I don't doubt their sincerity about wanting to address inequities in the communities or unfairness in policing. I don't doubt they would have had legitimate ideas on how to improve this legislation if it had come before the Senate. But at the very least, we can't accomplish any of those things unless we start debate.

We have done it before on other issues. Only 18 months ago, this Chamber passed the FIRST STEP Act, the most significant criminal justice reform bill in a generation. That was a strong bipartisan bill. It wasn't easy, but Senator DURBIN and I and Democrats and other Republicans in addition to the two of us found a path forward and are giving thousands of Americans a chance to improve their lives when they leave prison.

I am frustrated that the Senate can't consider this JUSTICE Act, but I promise Iowans and the American people that this partisan exercise doesn't represent my last hope for meaningful change. I stand ready to work with any Democrat or any Republican on the issue of police reform, and, for sure, I am not alone in the willingness to do that.

In fact, at the Judiciary Committee, just last week, the issue was police use of force and community relations. At that meeting, Chairman GRAHAM indicated that he wants to hold more hearings on this issue.

So I urge my colleagues on both sides of the aisle not to let today's vote be the end of the story. There is and has

been an evergreen issue. George Floyd's murder was the spark that ignited a national outcry. We must rise to the occasion. We cannot let election-year politics and differences of opinion prevent us from even discussing how best to improve justice and safety in our community.

FLYNN INVESTIGATION

Mr. President, I will speak just a short period of time on another issue that was resolved today by the DC Circuit Court of Appeals. Finally, justice has been done to a person that has been very unjustly treated, a person by the name of Lieutenant General Flynn, who served this country 33 years in the military.

Today, the U.S. Court of Appeals for the District of Columbia ordered the district court to grant the government's motion to dismiss the Flynn case. Remember, this has been going on for almost 4 years.

I am pleased the appeals court upheld what it rightfully called "clearly established legal principles." The appeals court said that the first "troubling indication" of the district judge's "mistaken understanding" of his role was to appoint a former judge, and now a private citizen, to argue against the government's proposal to District Judge Sullivan to dismiss the Flynn case. Remember, the reason for that was that he was mistreated in the first place.

As the majority opinion said: "The court has appointed one private citizen to argue that another citizen should be deprived of his liberty regardless of whether the Executive Branch is willing to pursue those charges."

The DC Circuit is ordering an end to this charade, and let Lieutenant General Flynn get back to his life and his family. Remember, this is a case where we set up—and you saw the emails from people that were going to prosecute him. Is this to get him fired—to get Flynn fired? Or is it to get him prosecuted? That is how open it was, but we didn't know about that until a few months ago.

So, today, Flynn's legal team released Strzok's notes regarding a meeting between Obama, Biden, Comey, Sally Yates, and Susan Rice. These notes appear to show several important things. The first one is, Comey said the Flynn calls with the Russian Ambassador "appear legit." Two, President Obama ordered Comey to "look at things." Three, President Obama directed that "the right people" investigate Flynn. Four, Vice President Biden appeared to raise the Logan Act.

Those four things lead to these questions. Well, if it was legit, then, why "look at things"? If it was legit, why would Biden mention the Logan Act? These notes raise legitimate questions. For example, did President Obama and Vice President Biden deliberately take steps in the final hours of their administration to undermine the incoming administration? It sure looks like that is what they were up to.

It also is reasonable to question the extent of President Obama's and Vice President Biden's knowledge about Russia and the Flynn investigation. I give this to you as an example. We know that on January 4, 2017, the same day that Strzok allegedly wrote the meeting notes, the FBI wrote a closing memorandum on Flynn, who was code named "Crossfire Razor" by the FBI, that said the intelligence community could find no derogatory information on him.

So they couldn't find any derogatory information on him, a person who had served in the military for 33 years, got out as a lieutenant general, and was going to be the National Security Advisor for this new administration. They could find no derogatory information, but for the next 3½ years, he has been fighting for his freedom. Then, on that very same day, January 4, 2017, the FBI was ready to close this Flynn case—probably based on the fact that Comey said that all this connection between Flynn and the Russian ambassador was probably legit.

But that doesn't matter to somebody by the name of Strzok, who was kind of leading all of this. He asked another FBI agent: "Hey if you haven't closed Razor don't do it yet." The case was still open at the moment and Strzok asked that it be kept open "for now." Strzok then messaged his lover, Lisa Page, saying that Razor still happened to be open because of some oversight and said to her—I don't know whether this is tongue in cheek or whether it was real serious, but he said: "Yeah, our utter incompetence actually helps us. . . ."

So what is helping us? It seems like any excuse to keep going in getting Flynn. At that point, we all know the case should have been closed, but 3½ years later, it is just solved by a decision of the DC Court of Appeals. So, instead, even in light of Comey apparently saying that the calls between Flynn and the Russian Ambassador appear legit, President Obama—still President of the United States—directed Comey to "look at things" and make sure "the right people" investigate it.

That has kind of been questionable, the extent to which President Obama was involved in this, but it seems like those quotes make it pretty clear. And then, at this very same conversation, Vice President Biden chimed in as well by bringing up the Logan Act, which was used as a pretext to interview Flynn weeks later. Mind you, all of this happened after the election. Now people are raising questions about: Why are you worried about things that happened 3 years ago? An injustice was done to Flynn, and if you let people run wild over the freedoms and liberties of the American people, if it can happen to a lieutenant general, it can happen to anybody else, and we saw it happen to George Floyd. He was murdered because of justice and the constitutional rights of people not being followed.

So then we have the incoming Trump administration and all this going on, having no idea that Obama, Biden, Comey, and Strzok were busy setting the stage for what would become a multiyear struggle to show that Trump didn't collude with the Russian Government—so much for a peaceful transition of power from one President to another and from one political party to another. It was something that for 240 years we prided ourselves in, but not in this case. Ever since the election, November of 2016, think of all the things that have been done to get Trump out of office, and it started even before he was sworn in.

Well, thankfully, the DC Circuit stepped in to restore a bit of justice after the government's multiyear campaign to destroy Flynn's reputation. The FBI and the Department of Justice's actions to frame an American citizen, drag that citizen into court, setting him up to plead guilty to lying, and then doing everything they can to cover up their transgressions should never happen and should never have happened either. Let's all hope it never happens again.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

PENSION REFORM

Mr. PORTMAN. Mr. President, I am here to talk about a complicated but really important issue, and it is one that Congress and the administration needs to address before it results in a devastating financial impact on millions of retirees, raises costs to thousands of businesses, some of which are going to go insolvent—bankrupt—unless it is dealt with, and an issue that can harm the overall economy if it is not dealt with.

The Presiding Officer has been very involved in this issue, and I hope others will bear with me as we talk about it, because it is complicated, but it is really important. I am talking about multiemployer pension reform, and as anyone who is working on this problem can tell you, it is something that we cannot ignore.

Briefly, a multiemployer pension plan consists of multiple different companies. Usually, employees in a single union pool their assets together, and they provide a defined benefit pension—the old-style pensions, a guaranteed pension, so-called—to cover workers and retirees. These plans are jointly administered, then, between the unions and the employers as trustees, who determine the benefits and the employer contributions based on the collective bargaining process and subject to whatever statutory funding requirements there are that we provide here in the U.S. Congress and through law.

It is a system of a lot of different employers coming together and providing a pension under one union typically. This system now comprises over 1,400 plans covering 10.8 million participants and their families. Unfortunately, it is on the verge of collapse. The system is underfunded by more than \$638 billion, and that figure has probably increased significantly due to the coronavirus epidemic and the resulting impact on the economy.

On top of that, there is the Federal entity that ensures these pensions. Pensions are sort of a guaranteed benefit, so-called, but they are guaranteed in a sense because they are insured by a Federal entity called the Pension Benefit Guaranty Corporation. That PBGC for the multiemployer program is projected to become insolvent in less than 5 years. Over 1.4 million workers and retirees are in plans already in what is called "critical and declining status," meaning they are facing benefit cuts of over 90 percent. So that is the problem.

This chart can sort of show it to you here. These are the assets at the start of the year—2019, 2020, 2021—and this is what happens. The assets go down. The liabilities go up. This is the financial assistance provided to the various plans. So, as you can see, the green is only going to last until 2025. And, again, with the new economic numbers, that will be exhausted even before that, which creates a real problem for those plan participants or retirees, for the companies that are going to have huge new liabilities—and some of them will not be able to handle it and will not be able to stay in business—and for our economy, because that will then have a contagion impact on the entire economy.

So those workers who are expecting to have the benefit because they are still working and those retirees who are facing these cuts are looking to us to come up with a bipartisan solution to address this crisis that faces the multiemployer pension system and the PBGC. They are counting on us to put in place commonsense reforms to ensure that these hard-earned pension benefits will be there for workers and retirees during their retirement.

A lot of these workers will tell you that they didn't take the pay increases or they didn't take the healthcare benefits the size they wanted in their collective bargaining because they bargained for this, which was the hope of having a pension—a guaranteed, defined benefit pension—and now they are seeing the possibility that that could result in a 90-percent cut in their benefits.

Over the past several years we have been working on this, I have been involved with it. I have been working on the Finance Committee, which is the committee here in the Senate that has responsibility for this issue.

In 2018—so going back 2 years ago now—I was participating in hearings as a member of the Joint Select Com-

mittee on Solvency of Multiemployer Pension Plans. It was a 1-year committee. It was House and Senate, Republican and Democrat. We were supposed to get to a solution for this problem before it gets worse, and we spent countless hours trying to do that. I spent countless hours in meetings with beneficiaries, retirees, spouses of theirs.

Ohio was one of the States hardest hit. I have heard their stories about how years of mismanaged pension plans have put them on the hook for unthinkable cuts in the pensions they just assumed were going to be there.

Let me spell out how precarious this is for my home State of Ohio. We have over 60,000 active workers and retirees in multiemployer pension plans at immediate risk of becoming insolvent—probably more than any other State in the country. Many of these Ohio plans have already been forced to drastically reduce benefits, by the way, including the Iron Workers Local 17 Plan in Cleveland, the Southwest Ohio Regional Council of Carpenters Pension Plan, and the Toledo Roofers Local 134 Pension Plan.

Some are already insolvent, like the Teamsters Local 116 of Cleveland Pension Fund, so for some, unfortunately, this insolvency has already happened.

The Central States Pension Fund, which is the single largest plan that is in this critical and declining status, is projected to become insolvent in 2025—the same time the PBGC is because when it goes under, PBGC goes under; it is that big. They have 44,000 participants in that plan in Ohio—again, more than any other State. The majority of Central States' retirees are veterans, by the way, according to the National United Committee to Protect Pensions. They receive about \$360 million in annual benefits from their pensions. By the way, that money goes right back into the economy. They spend it.

Unfortunately, years of bad Federal policy with respect to funding and withdrawal liability rules, losses on risky investments, and failure to take proactive action have brought many of these pension plans to the brink of insolvency. The result is that these hard-working Ohioans in Central States face pension cuts of over 90 percent if no action is taken. That is unacceptable. We can't let that happen.

By the way, it is not just a retirement security issue, as I said earlier; it is a jobs issue. The multiemployer pension system consists primarily of smaller businesses that face uncertainty and a higher cost of doing business due to the liability they will face called withdrawal liability.

More than 200 small businesses are in Central States alone in my home State of Ohio—200 businesses that face huge withdrawal liabilities, many of which are much bigger than the book value of the company, meaning, of course, that they are not going to make it.

In fact, if a systemically important plan like Central States were to become insolvent, contributing employers face the risk of being assessed unplanned withdrawal liabilities that will result in a wave of bankruptcies and a contagion effect across the economy as plans with overlapping contribution bases also fail. It will not just be that plan; it will be other plans as well because the companies pay into different plans.

Even if they are not assessed withdrawal liability, employers will be forced then to make contributions into an insolvent plan, making those companies not competitive in the labor market. They will not be able to pay their employees as much because they are making the payments into the insolvent plans.

These jobs are essential to our economy—right now, more than ever. Many of the current workers in the Central States Pension Fund, as an example, are truckdrivers, and these are the very truckdrivers who are keeping our grocery stores stocked. They are the supply lines running through this coronavirus crisis. They have put their health on the line for all of us, and we need to do our very best to ensure that the pensions they have earned—rightly earned—will be there for them.

While these problems were well known before the current economic downturn, this slowdown is only going to accelerate the crisis. As CBO projected in late April—that is, the non-partisan Congressional Budget Office—the second quarter of this fiscal year is projected to mark the largest percentage drop in economic output in recorded history, with the GDP projected to fall 40 percent on an annualized basis. That has a real impact on these pensions.

As chair of the Senate Finance subcommittee with jurisdiction over these multiemployer pension plans, I have been working on this issue with Democrats and Republicans alike, and I believe a balanced, pro-growth solution to the problem is possible. I also know that it is needed.

As bad as the pension crisis is for these retirees we talked about and for their individual plans, it also has a broader impact on our economy, so all of us should be interested in solving this problem.

It will not be easy, especially given the unprecedented health crisis we now face, but putting off this difficult work today means greater costs tomorrow. The costs compound, so it gets worse.

The multiemployer program deficit is projected to rise significantly if we wait until this period—around 2024 or 2025. Even if we didn't have this pandemic, this is an issue we owe to our constituents to take proactive action on.

We have come some way on this project, and we have made some progress over time. In 2018, Senator SHERROD BROWN and his co-chair Senator Orrin Hatch and I put together a

framework for reform while serving on this Joint Select Committee on Solvency of Multiemployer Pension Plans. I think that framework can effectively address the crisis. We called it the bipartisan framework. It would have provided PBGC enough resources to prevent its own insolvency and put in place structural reforms to the funding rules and the way plans are governed to ensure a long-term solution going forward.

Unfortunately, the joint committee was not able to reach final agreement on these reforms, and therefore we weren't able to stabilize the PBGC and put it on a stronger financial footing. But I strongly believe that the mechanism to address the immediate crisis that is in this bipartisan framework still offers the right way forward for us to get this done. In fact, I am pleased there is a renewed interest in addressing this crisis using this framework right now.

The House-passed HEROES Act—that is, the legislation the House passed to deal with the COVID-19 crisis—includes a proposal to try to fix this problem. Again, it is a step in the right direction in that they have chosen to adopt the approach of partitioning at-risk plans to help address the immediate crisis. That is the approach we took.

This is a step away from their previous plan in the House and among a lot of Democrats in the Senate, which employed a loan structure for all inactive liabilities and, based on CBO analysis, would not have prevented PBGC from becoming insolvent. So this new structure makes more sense, and it is closer to the Senate bipartisan framework. The new House plan, therefore, costs a little less, and retirees also get more certainty from it.

There are some flaws in the House Democrats' approach that still make it a nonstarter over here in the Senate.

First, there is no shared responsibility when it comes to strengthening the financial condition of the PBGC. It entirely relies on taxpayers—so \$59 billion of taxpayer funds over the next 10 years. Some on our side of the aisle, of course, find that to be a bailout by the taxpayers when, in fact, there ought to be more shared responsibility. This is particularly important now as there is more and more concern about the public money that is being spent.

Second, the House proposal includes no structural reforms whatsoever to the rules governing how multiemployer pension plans operate, how employer contributions are determined, and corrective actions that trustees can take to improve plan solvency and protect the participants.

What we don't want to do is solve the problem with a bandaid and then have the problem come right back again. We want to get this right. The reforms have to address the underlying flaws in the system and ensure that PBGC can function as a self-sustaining entity rather than a new line item in the Federal budget funded by permanent enti-

tlement spending. This has to be something that solves the program long term. We can't put in place a partial solution that will require Congress to come back again and again in the future. Unfortunately, the House Democrats' plan fails to achieve this.

In my view, any plan we make to reform the multiemployer pension system has to adhere to three main principles:

No. 1, we do need shared responsibility to address the immediate crisis. We should not pass a legislative solution where the bill is entirely footed by taxpayers. Employers and participants must share the responsibility of fixing this problem—not taxpayers alone since 99 percent of taxpayers aren't participating in this system.

A recent poll by McLaughlin & Associates of 2,700 likely voters in Midwestern States found that 76 percent of voters support a shared solution based on a combination of financial contributions from employers, retirees, and taxpayers.

A Congressional Budget Office 2017 working group paper found that both various exemptions from government employer contributions and accounting standards used by multiemployer plans played significant roles in allowing PBGC to become insolvent. So both exemptions from the employers putting money in and the accounting standards are the reason, they say, that PBGC became underfunded. So greater employer contributions are part of getting these plans back on track.

Second, I believe any solution must ensure sustainable solvency for the PBGC. Again, this is important to be sure that we are solving this problem. Overall, I believe premiums should be a significant contributor to the health of PBGC, covering at least half of the cost of recapitalization.

We also need our plan participants to pitch in, in the form of solvency fees paid directly to PBGC. With a significant variable-rate premium, by the way, we can make these solvency fees as low as 10 percent or maybe even lower. We need to think long and hard about the levels of shared responsibility that could include premiums imposed on workers, on unions, and increased flat-rate premiums as well. These would be small contributions but significant in the sense that everybody would be participating, everybody would do a little bit, and the taxpayers would be asked to do a lot too. But the only way we can get the taxpayers to make a substantial contribution is to ensure that there is this shared responsibility.

Third, any solution must ensure there is sustainable solvency for the multiemployer plans in the future. Any bipartisan solution should include structural reform to the funding rules governing employer contributions to multiemployer plans so that Congress and the Treasury will not be regularly called upon to bail out a large number of underfunded plans.

Retirees need to know these plans are secure. This includes gradually phasing down the rate at which plans may value existing pension liabilities, which are promises to retirees that should be kept but are being budgeted for through investments that the Congressional Budget Office says are high risk. Without any rules on how these pension liabilities are valued, there is high risk. Here is what the risk is now. Here is the average multiemployer plan target rate of return. Here is a conservative way to look at it, which would be the interest rate on 10-year Treasuries.

By the way, the 10-year Treasury is now down to just about 1 percent, so it has gone down even further. This gap is that high risk the Congressional Budget Office is talking about. So there needs to be some solution here.

I understand that this needs to be phased in. It needs to be gradual. It needs to be reasonable. But we have to, again, ensure that retirees know that, when they get into a plan and make contributions to a plan, it is going to be there for them.

The Senate Finance Committee published its own proposal in November which attempted to get at these two goals of addressing the immediate crisis through shared responsibility and preventing a future crisis through reforms to the funding rules. This was a Republican plan put forward by Senator GRASSLEY, who spoke moments ago. That proposal was called the Multiemployer Pension Recapitalization Reform Plan. It is not perfect, but it is worth emphasizing that the Trump administration supports this proposal and put out a Statement of Administration Policy endorsing it, saying: "We believe it has the potential to serve as the base for a long-term solution to the multiemployer pension crisis." I have talked to several people within the administration, and I think they are also committed to a bipartisan agreement in this Congress to try to solve this problem.

Again, the plan put out by Senator GRASSLEY and also Senator ALEXANDER may not be perfect, but now you have two plans out there, both of which use the same basic structure, and I think there is an opportunity here for us to come together.

Right now, I know some of my counterparts in the House who have worked on the multiemployer pension proposal in the HEROES Act want to know whom they should be negotiating with because they are not negotiating right now on how to find that compromise. I would suggest talking to the Finance Committee. That is where the jurisdiction is. That is what the administration has indicated as well.

We have been working all year with the PBGC on a reasonable proposal that we believe can get support from the National United Committee to Protect Pensions, many of the Teamsters local unions, and many employers who are trying to stay afloat right now.

The Senate Finance Committee will continue to reach out to have a serious conversation with Democrats on both sides of the Capitol to help address this immediate crisis and ensure sustainable solvency for the multiemployer pension system. In order to reach an agreement on this issue, shared responsibility will be necessary to make it work, in my view.

To reiterate, we are willing to put serious Federal money on the table—taxpayer funds—and we are willing to negotiate, but it has to be a balanced approach.

The time to act is now. The Senate Finance Committee has this common-sense proposal on the Republican side—again, vetted by PBGC—that, while not perfect, is an interesting starting point for us to come together. The House has their own proposal that has many similarities in terms of its structure. So let's build upon those, as Republicans and Democrats, to ensure we can get our multiemployer pension system back in working order. We owe it to the retirees. We owe it to the workers, to the participants in these plans. We owe it to these small businesses. Let's get serious about this and ensure we can protect the retirements of hard-working Americans we represent. Taxpayers deserve proactive action now, and so do workers and so do retirees. Let's get it done.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

THE JUSTICE ACT

Mr. CASSIDY. Mr. President, nearly a month has passed since George Floyd died. In a show of unity, which bridged divides Americans—Republicans, Democrats, Independents—demanded that something be done to prevent such deaths from happening in the future. Republicans are trying to do something.

Thanks to the leadership of Senator TIM SCOTT, the Senate is trying to consider the JUSTICE Act, a major bill to reform police departments in meaningful, practical ways; yet today, Democrats blocked consideration of the bill. I hope Democrats allow the Senate to at least debate the JUSTICE Act. If Democrats don't like the bill, offer an amendment. Make the case. Reforming police departments, making justice fair, and equal for all is a bipartisan issue.

I smiled when I was sitting in the Chair where you are right now, Mr. President, when a Senate colleague, who is a Democrat, spoke yesterday and described the Senate as the world's greatest deliberative body. I thought she must be sarcastic. I say that because Democrats refuse to allow deliberation. The people sent us here to solve problems. Let's do the work.

As I was sitting in the Chair yesterday, I heard Democrats rationalize why they refuse to allow debate. As best as I can tell, they refused to allow any deliberation because they are not sure that what they want to be included will be included.

I think now it is time to review that which most of us learned in fifth grade. Just for a civics lesson for my Democratic colleagues, I am going to go through how a bill is passed and to show that, even though they don't like how the bill starts, they can actually change how it ends and vote against it if they don't like it.

We all learned this. This is how a bill is passed. We get an idea from a constituent. Those ideas are on the street right now. They want reform of how policing occurs, to make sure that it is fair and equitable for all. The bill can go through the House. It is debated on the House floor. If it is approved, it comes to the Senate.

I am going to interject here. The Senate may come up with its own bill, and it goes to the floor. Here, it says the bill is debated. That is not happening. Filibuster and cloture may occur, and the Senate may approve the bill.

Let's stop here. If the Democratic Senators don't like the bill in its current form, they can amend it. If they don't like the way it is when it is amended, they can vote against it. If they vote against it, it will not pass. If they don't like where it ends up, after we deliberate, debate, and offer amendments, they can still defeat it.

Let's just imagine that it does get approved, then it goes to the conference committee—you and I know this—but there are some watching who heard this dialogue yesterday or these speeches yesterday from our colleagues on the Democratic side. Let me just remind people, if we approve a bill, it still goes to conference committee.

The legislation passed by the House of Representatives is considered; those two bills are merged; and then it comes back for another vote. They have a chance to amend. They have a chance to vote against it if they don't like the final product, and then it is going to a conference committee with Speaker PELOSI's version, and then they get to vote against that if they don't like that.

If all they do is allow deliberation of the bill—in what one said sarcastically was the "world's greatest deliberative body"—they would have this, that, and that opportunity to either change, disapprove, or to vote on something which they finally approve. That is how it is supposed to work.

By the way, my young aide was bringing us into the Chamber and saw somebody in the hallway, and the young person said: Hmm, it doesn't work that way. He remembered seeing this cartoon, this YouTube, when he was a kid. All he could say was: It doesn't work that way.

It should. It is how our Founding Fathers set it up. But the other side decided it doesn't work that way, and that is too bad. That is too bad because, if we don't do the work, if we don't deliberate, if we continue to have status quo over the change and the reform that all the American people are

demanding, then we will not be answering the pleas of those peaceful protesters who are asking for that change.

The cynic might believe the Democrats blocked deliberation of the JUSTICE Act because they don't want the President or the Republicans to have a win in an election year. If that is the case, if this is purely political, they have let down the American people, especially those who demand justice. They let down the American people just to score political points.

Maybe they blocked it because it doesn't include the Democratic Party's new wish list: defunding and abolishing police forces. Perhaps they knew that, if somebody offered an amendment to the JUSTICE Act to defund police, then Members would be forced to vote on the measure rather than just pay lip service to an idea that is going nowhere.

Let me say, defunding and abolishing police forces is not the direction Republicans believe we should take, for obvious reasons. Mobs are destroying and defacing property and destroying and defacing monuments of national heroes—George Washington, Abraham Lincoln, Ulysses Grant. World War II memorials are being defaced with swastikas, torn down by a mob that hates the United States of America.

When you establish a so-called police-free zone—an absurd promise for a utopian society that is, in fact, full of crime—the one in Seattle has had, I think, four shootings—at this point, the mob's goal is not justice for George Floyd; the mob's goal is about displaying their hatred for the United States of America.

If Senate Democrats reject that behavior of the mob, let the country hear you. Reject it. But that would require debate. That would require deliberation. That is what is being denied the JUSTICE Act. That is what Senate Democrats will not allow.

Here is what Senate Democrats blocked when they decided against allowing deliberation of the JUSTICE Act, if you will, addressing the demands of the people who are calling for reforms of policing. They denied stronger accountability measures for the police departments. The JUSTICE Act requires reporting of use of force and no-knock warrants. It increased penalty for false police reports. It institutes penalties for failing to properly use body cameras. It requires sharing of disciplinary records so that departments will know whether an applicant has the history of bad behavior in another law enforcement department.

By the way, some of the Senate Democrats have said they want to outlaw these things. Offer an amendment. That is why you deliberate. You don't come up with a deal in a back room and bring it—and, oh, my gosh, we have to vote on it. You offer an amendment. Allow deliberation.

Why will they not respond to the pleas of the American people to deliberate, to consider, to come up with

some form of fairness and policing for those who feel like it has been denied?

Let me continue. The JUSTICE Act requires the Department of Justice to develop and provide training and deescalation and intervention techniques to prevent police encounters from getting out of hand. That training works. The New Orleans Police Department has implemented it.

One of the images I saw when the riots were occurring in Minneapolis was the New Orleans Police Department taking a knee with protesters in Jackson Square—literally on common ground—to say that we are with you to work towards a solution. That is because of this sort of training being instituted there. I am so proud that my State has example of that which works. This bill would take that which works and make it common across the country.

The JUSTICE Act also requires training and education about the African-American socioeconomic circumstance so officers can gain a better perspective in these communities. It promotes understanding of how African-American males are impacted by experience, including education, healthcare, financial status in the criminal justice system. It helps departments know the best practices for police tactics, employment processes, community transparency, and how law enforcement can best engage on issues related to mental health, homelessness, and addiction.

Senator SCOTT, drawing from his own experiences, crafted a bill with reforms that will lead to more accountability, fewer uses of force, and a better understanding of disenfranchised and minority communities that police should also serve and protect. Criminal justice reform advocates have long called for the very same reforms the JUSTICE Act institutes. In fact, there is a lot of agreement between Republicans and Democrats on many of the reforms in this bill.

I will ask once more: Why are Democrats blocking even a consideration on this floor of this bill? If you don't like it, work to change it. If it passes, it only passes with your votes. If it does pass, it then goes to the House of Representatives for reconciliation with their bill, and then it comes back. But we should at least debate—at least pretend to hear the cries of the American people who are asking for justice for those who perceive that they have been denied.

We know that the JUSTICE Act brings about the changes to policing that Americans are calling for: more accountability, deescalation training, education, and other things. Yet again, Senate Democrats have blocked even a discussion of those reforms.

I ask myself—it doesn't make sense, good people—why would they block even consideration, any response whatsoever to the cries of the people on the street that the Congress do something? Why would they even do that? Then I

return to this. I think they are afraid that someone on their side of the aisle will offer an amendment to defund the police, and they would have to go on the record as to whether or not they are going to appease a radical left base to vote to defund the police or whether or not they are going to support the men and women in uniform that protect us all. They don't want that.

It is not just a political calculation that they don't want President Trump to have a win, I suppose; it is a political calculation that they don't want a loss. They don't want to be forced to declare their support for the police or their support to defund the police.

They are ignoring the cries of protesters demanding that George Floyd never occur again in order to cover political tracks. I think it is important to recognize that defunding the police, which I think is a radical concept, is absurd. We need police officers. In fact, I am always struck that my colleagues of both parties always thank Capitol Police for the service they do.

Don't the people who live in our community thank the police officers to keep their business from being stolen and robbed or burned? I think they do. But on the other hand, if you think police should be defunded, allow that amendment to come up, and then vote on it. The American people didn't send us here to duck tough votes. They sent us here to declare that which we believe in but also to represent their interest.

A word about the mob that is not peaceful protesters advocating for justice for all but those who hate the United States of America, who wish to erase our history, and who wish to replace our national heroes with toppled statues and swastikas and hammer and sickles upon the side of the building. The irony is that most of the mob relies upon constitutional protections of free speech and freedom of assembly. We cherish those rights. We cherish them and thank those who are peacefully protesting for exercising those constitutional rights.

I also hear from some of my colleagues on the other side of the aisle that, somehow, these actions of anarchists are just violent. There is a sentiment that says we try to enact change peacefully, but nothing is happening. I, unfortunately, have to agree with them.

The Republicans have brought forward a bill that would peacefully begin to make changes in how policing is understood and practiced and, in peacefully doing so, bring about change for which they are advocating. But again, nothing has happened because Senate Democrats have decided that they don't even want to debate a bill, offer amendments, vote against the final product, or allow it to go to a conference committee with the House of Representatives to be changed once more to perhaps come more to their liking.

Again, my Senate Democratic colleagues are not just blocking reform;

they will not even allow discussion of reform. They don't want to talk to Republicans about it. They don't want to take a stand on defunding and abolishing police departments. Rather than have a debate, we go into hiding, leaving the issues regarding the reform of policing unresolved. I hope my Democratic colleagues allow the debate to occur. I hope they recognize the importance of this issue to all Americans, especially to those in communities of color, but really to us all.

To my colleagues on the other side of the aisle: Come back to the table. Let's hear your amendments. Let's have debate. Let's enact the change we need by building a consensus on the best path forward. Let's live up to the statement that the Senate is the world's greatest deliberative body.

Together, the Senate—Republicans and Democrats—can deliver change for the American people. We can bring about the unity that we as a country desperately need in order to heal as a society, but this will only happen if my Senate Democratic colleagues stop hiding behind procedural votes.

Come to the floor. Let's deliberate. Let's do what the Founding Fathers imagined that we would. I know that it is politically difficult, but sometimes, we have to rise above political difficulty with a challenge of time, and that challenge is now.

I yield back.

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

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

MORNING BUSINESS

TRIBUTE TO JOHN ROUSH

Mr. MCCONNELL. Mr. President, over the school's two centuries, some of Kentucky's brightest students have walked Centre College's campus. Our Commonwealth's first Governor, Isaac Shelby, chaired the inaugural board. Prominent Kentucky surgeon Dr. Ephraim McDowell, whose accolades include a statue here in the U.S. Capitol, also served as a trustee. To date, Centre's alumni include two U.S. Vice Presidents, one Chief Justice and an Associate Justice of the Supreme Court, as well as more than a dozen Senators, 43 Members of Congress, and 11 Governors.

Today, I would like to pay tribute to another leading member of Centre's community: its 20th president and my good friend Dr. John Roush. At the end of this month, John will complete his service to the school, closing out 22 years of achievement that have brought well-deserved praise and growth to Centre.

Since coming to Danville, John has led a transformation of the school. He championed major investments into campus infrastructure, the addition of new endowed professorships, and the completion of a \$120 million capital campaign. Along the way, a national publication twice named Centre the top school in the South.

Of course, Centre College is no stranger to making national headlines. In 2000, Centre hosted a Vice Presidential debate between Dick Cheney and our former colleague Joe Lieberman. When Centre was selected for this prestigious honor, it was the smallest higher educational institution in history to host a Presidential or Vice Presidential debate. By any objective standard, the event was a total success, and it came as a clear result of John's creativity and ingenuity. Afterward, a Washington Post writer praised the debate as "one of the best ever. The whole day was a happy pageant of Norman Rockwell meets Alexis de Tocqueville."

That writer wasn't the only one impressed by Centre's performance. The Commission on Presidential Debates went back to John, asking Centre to host another Vice Presidential debate. Once again, the Centre community planned and executed an extraordinary event with the eyes of the country on them.

Last year, John led Centre in the celebration of its bicentennial anniversary with a full year of events. While the school honored its distinguished history, John seemed to consider his own place in it. He announced his retirement from Centre, making him one of the three longest serving presidents in the school's history.

Perhaps John's greatest legacy at Centre will be his fierce devotion to students. Every single graduate was invited into his home at least twice during their undergraduate years. With his beloved wife Susie, who is an institution herself, John brought compassionate leadership to all aspects of his work. His colleagues called John the institution's "beating heart." As he leaves campus at the end of this month, 1 day before his 70th birthday, he should take pride in a job very well done.

I am sure Centre College planned several opportunities for its students, faculty, staff, alumni, and friends to express their sincere appreciation to John. Unfortunately, the coronavirus pandemic changed many of those plans. But there is nothing that can change our heartfelt gratitude to John and Susie for all they have done for Centre College and the Commonwealth of Kentucky. As they embark on their next adventure together, we wish them the very best.

THE JUSTICE ACT

Mrs. FEINSTEIN. Mr. President, I rise in opposition to proceeding on S. 3985, the JUSTICE Act, and want to briefly explain why.

On May 25, a Minneapolis police officer knelt on the neck of George Floyd for almost 9 minutes. Mr. Floyd repeatedly said he could not breathe and pleaded for officers to stop. The officers ignored his pleas and continued to kneel on his neck until his body went limp. George Floyd's alleged crime? Using a counterfeit \$20 bill to buy groceries during a global pandemic.

As a nation, we have seen far too many unarmed Black men and women killed by police. Rayshard Brooks was shot twice in the back while running away from Atlanta police. The police had been called because he had fallen asleep in his car and was blocking a fast-food drive-thru. Breonna Taylor, an emergency medical worker, was shot eight times by Louisville police while asleep in her home. Eric Garner was choked to death by an NYPD officer for selling cigarettes. Freddie Gray was killed after being taken into custody by Baltimore police for possessing a knife. Walter Scott was shot in the back by North Charleston police after being stopped for a bad brake light. Stephon Clark was killed by Sacramento police in his grandmother's backyard for breaking windows. And Michael Brown was shot six times by Ferguson police while his hands were raised in the air.

Over the past month, millions of people—of all races, ages, and backgrounds—have taken to the streets throughout the Nation to protest these killings and to demand real police reform. We need to respond with legislation that truly meets this moment, a bill that actually holds law enforcement agencies and offices accountable under the law.

The Republican JUSTICE Act is nowhere near enough. It simply does not impose accountability on law enforcement. Specifically, it does not create a national use of force standard. For example, in California, lethal force may only be used to prevent an imminent threat of death or serious bodily injury to the officer or to another person. It does not end racial profiling; in other words, it does not stop police from using race to target individuals, a practice I would hope that everyone agrees must cease. It does not prohibit no-knock warrants in drug cases, the very type of warrant that led to the death of Breonna Taylor. It does not reform qualified immunity, a legal defense that has allowed officers to avoid accountability even when they have broken the law. Instead of fixing these problems, the JUSTICE Act collects more information and data on problems we already know exist.

We do not need more information. We need to address the underlying issues of systemic racism and police use of force. That is where the Justice in Policing Act comes in. Senator BOOKER and Senator HARRIS introduced this bill earlier this month. It should be our starting point. The bill makes meaningful reforms. For example, it requires that police departments ban