

to be United States District Judge for the Southern District of California.

The PRESIDING OFFICER. The Senator from Pennsylvania.

UNANIMOUS CONSENT REQUEST—S. 1508

Mr. TOOMEY. Mr. President, I have a unanimous consent request.

"We hope they die." "We hope they die." "We hope they die."

These are the vile words that anti-police protesters yelled on Saturday night, outside St. Francis Medical Center, in Los Angeles County, CA. They were yelling that about two deputy sheriffs, who, at the time, were clinging to life inside the hospital. They were clinging to life, just barely, because, earlier that night, those two deputy sheriffs were brutally ambushed by a gunman, who shot them multiple times as they sat in their patrol car while they were simply doing their jobs of patrolling the local train station.

One of the deputies is a 31-year-old mother of a 6-year-old boy. The other deputy is a 24-year-old man. Both joined the force about 14 months ago. The female deputy was shot through the jaw, but, heroically, she still managed to radio for help and apply a tourniquet to her partner's wounds.

What happened to these deputies in Los Angeles was horrific and dangerous. It is a reminder that, every single day, law enforcement officers put on a badge and then risk their lives to protect all of us—and I mean every single day.

Just this past Sunday, a police officer in Lancaster, PA, responded to a domestic violence call. It came from a home in the city. His body cam video captured what happened next. When the officer arrived, a full-grown man, wielding a huge carving knife and waving it over his head, came charging out of the house and charged straight at the officer. The man who did this, as it happens, is scheduled to go on trial in October on charges of stabbing four people last year.

What happened to the deputies in Los Angeles is not only horrific but is part of a disturbing trend of violence against police. According to the FBI, 37 law enforcement officials have been intentionally killed in the line of duty so far this year. That is a 23-percent increase from the same period last year. Rioters have attacked law enforcement. We have seen them hurling bricks and rocks and other dangerous objects. We have seen them ram them with their vehicles and set police cars on fire.

This violence against police is not happening in a vacuum. It is not. In recent months, the Nation has been engaged in an important, substantive debate about the relationship between law enforcement and the communities they serve and protect. I happen to think the debate is important. It is one of the reasons I supported Senator TIM SCOTT's bill—to provide more accountability and transparency with respect to law enforcement.

Unfortunately, our Democratic colleagues blocked us from even being

able to hold a debate on that bill. Senator SCOTT and the Republicans were willing to allow votes on any Democratic amendments. They could have changed the bill in any way they had seen fit if they could have made the case with their amendments, but they refused to even have a process—they refused to even allow anyone, including themselves, to offer amendments. They refused to let us even consider the bill.

The police reform debate has exposed some radical voices. Unfortunately, that sometimes includes government officials who spew anti-police rhetoric. They call for defunding—sometimes even for abolishing—the police, and they want to bail out rioters in Minneapolis.

For example, after the two Los Angeles deputy sheriffs were shot on Saturday, not only did anti-police protesters yell "We hope they die" and other vile things outside the hospital, but the city manager of Lynwood, CA—the very city where the deputies were clinging to their lives in the hospital—the city manager responded to the shooting by posting on social media a message saying "Chickens come home to roost." Can you imagine?

Well, protesters feed off the failure of elected officials to support and defend the police. In Lancaster, after that knife-wielding man was shot by an officer who was just protecting his own life, which was obviously under serious risk, protesters came out and started rioting—throwing bricks, rocks, and bottles at police, smashing windows at a police station and a post office, setting a dumpster on fire—despite the fact that the video clearly shows that the officer was being attacked. He was simply defending his life. I have no idea why anyone would protest a police officer defending his own life.

In my own State of Pennsylvania, a local Democratic elected official in Delaware County recently posted an image—unbelievable—on social media of two Black men holding guns to the head of a White police officer with a caption that said "Does it have to come to this to make them stop murdering and terrorizing us?" What kind of message is that?

As the Los Angeles County sheriff noted on Saturday—after his officers were shot, he said: "Words have consequences." They do.

You know, instead of defunding the police, we should be defending the police—defending them against this kind of violence both in word and especially in deed. That is why I am here today, calling on the Senate to pass my Thin Blue Line Act today.

My bill sends a very simple and clear message: Anyone who murders a law enforcement official should be prepared to pay the ultimate price. Under Federal law, killing a Federal law enforcement official is an aggravating factor for the Federal jury to weigh when considering whether to impose the death penalty on a cop killer, but that consideration does not apply when a State

or local law enforcement officer is killed. So the Thin Blue Line Act provides that same level of justice to State and local law enforcement officers that we already apply to Federal law enforcement officers by also making the killing of a local law enforcement officer an aggravating factor in determining whether to impose the death penalty in a Federal case.

In 2017, the House passed this bill with bipartisan support, including support of liberals like ADAM SCHIFF and Beto O'Rourke. The bill has very broad support from law enforcement groups, as you might imagine, including from the Fraternal Order of Police, the National Sheriffs' Association, the National Association of Police Organizations, and others.

The Thin Blue Line Act is common-sense, bipartisan legislation that the Senate should pass now. Our law enforcement officers put themselves in harm's way every day, and we are reminded of that every day. They are out there protecting us, and I am not sure that has ever been more dangerous for law enforcement than it is today. We need to do our part to support them, to send a message to them that we support them but to send a message to criminals and potential assassins that they will pay the ultimate price.

In the tragic event that a police officer is killed in the line of duty, we owe that officer justice, and I am going to keep fighting for them to receive it.

So, as if in legislative session, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. 1508 and the Senate proceed to its immediate consideration; further, that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. UDALL. Mr. President, reserving the right to object.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. UDALL. Mr. President, thank you for the recognition.

As a former New Mexico attorney general and assistant U.S. attorney, I have worked hard to prosecute violent crimes. I have been privileged to work with law enforcement, and we are all thankful for the tremendous work the Capitol Police do here in our Nation's Capital.

The recent shootings of two sheriff's deputies in California was heinous. Our prayers go out to the officers and their families. The perpetrator must be brought to justice. But I do not support rushing through this bill in response to the California shootings.

Under California law, murder of a law enforcement officer already makes someone eligible for the death penalty. This bill needlessly expands the Federal death penalty.

As I understand this bill, for someone to be eligible for the death penalty, he

or she would have to first be convicted of Federal murder, and then it would need to be proven beyond a reasonable doubt that the victim was killed or targeted because he or she was a law enforcement officer.

I also want to point out that the death penalty itself has widespread issues and many instances of misapplication. DNA testing and other science have proven that innocent people have been executed. The Innocence Project has found that 21 of 375 individuals who were falsely convicted and exonerated by DNA testing since 1989 had served time on death row.

The death penalty has also been applied in a racially discriminatory way. A 1990 GAO report on capital sentencing noted that 82 percent of studies conducted between 1972 and 1990 found that the race of the victim influenced whether a capital murder charge was brought or a death sentence imposed.

As Justice Breyer has noted, “The factors that most clearly ought to affect application of the death penalty, namely, comparative egregiousness of the crime, often do not. Instead, circumstances that ought not to affect application of the death penalty, such as race, gender or geography, often do.” That is in a recent Supreme Court case here in 2015.

I also understand that this bill has not been through the regular order in the Judiciary Committee. It is important that legislation that would have serious consequences is fully examined by the Judiciary Committee, the committee of jurisdiction here.

I would also like to take this opportunity to call attention to key legislation that addresses violence and should come to the floor, and that is the Violence Against Women Reauthorization Act.

VAWA authorization expired over a year and a half ago, on February 15, 2019. Funding continues, but key improvements are being delayed by lack of reauthorization.

The Violence Against Women Reauthorization Act of 2019 is supported by all 47 Democratic Senators. The House passed the bill 263 to 158. Thirty-three House Republicans voted yes on that bill. This bill would extend VAWA for 5 years, through 2024.

As the vice chairman of the Senate Committee on Indian Affairs, I know how critical this bill is to Indian Country. Data from the U.S. Department of Justice indicates that Native women face murder rates that are more than 10 times the national average murder rate. There are more than 5,000 cases of missing American Indian and Alaska Native women, and 55 percent of Native women have experienced domestic violence. More than four in five American Indian and Alaska Native women experience violence in their lifetimes. Without enactment of a VAWA reauthorization, these Tribes will lack the jurisdictional tools they need to keep their communities safe.

The VAWA bill also explicitly states that grant recipients can train staff to

prevent LGBT discrimination, and it adds dating partners convicted of domestic violence and stalking to the category of persons barred from having handguns.

This bill would make a real difference in preventing violent crimes against women and has passed the House and has been pending before us here in the Senate for many months.

For these reasons, I respectfully object to the Senator's request.

The PRESIDING OFFICER. The objection is heard.

The Senator from Pennsylvania.

Mr. TOOMEY. Mr. President, first of all, let me just say that bringing up VAWA can't be anything other than an attempt to obfuscate from the case that is in front of us. I would be happy to talk about VAWA. I happen to agree that violence against women is a serious issue. It is a serious problem. All the programs in VAWA are still fully funded. They continue.

I don't think anybody in this body or the other body has done as much as I have done to make sure that the resources in the Crime Victims Fund go to the victims of crime—very much including women who are victims of violent crime and children and the groups who serve those victims.

As a matter of fact, I have supported previous versions of VAWA. There has been a bipartisan effort to get a new reauthorization of VAWA. Senator ERNST and Senator FEINSTEIN have spent months developing that. But that is not the version that has been under consideration here.

No, there is nothing incompatible about passing my legislation, the Thin Blue Line Act, standing up to protect local law enforcement, and having a separate consideration on VAWA. They are not mutually exclusive. They are not in any way related to each other. But, unfortunately, our Democratic colleagues are not willing to simply extend the same protection we extend to Federal law enforcement officials to the local law enforcement officials who are at risk every single day.

I am very disappointed that my colleague from New Mexico would object to a very simple and sensible bill that has bipartisan support.

The PRESIDING OFFICER. The Senator from New Mexico.

UNANIMOUS CONSENT REQUEST—S. 2843

Mr. UDALL. Mr. President, as if in legislation session, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. 2843, the Violence Against Women Reauthorization Act, and that the Senate proceed to its immediate consideration; further, that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. TOOMEY. Mr. President, for the reasons that I mentioned earlier in my comments, I object to this version of VAWA.

The PRESIDING OFFICER. Objection is heard.

The Senator from New Mexico.

Mr. UDALL. Mr. President, thank you for the recognition today.

We rise—a number of Senators who will be speaking today in this hour—we rise today to demand that the White House immediately remove William Perry Pendley from exercising the authority of the Director of the Bureau of Land Management and nominate a qualified person to be Director, subject to Senate confirmation.

William Perry Pendley embodies the Trump administration's approach to conservation—they don't believe in it. He embodies the Trump administration's approach to Tribal sovereignty—they don't respect it. His continued employment at BLM embodies the Trump administration's approach to the law and the separation of powers—they will trample all over it every chance they get.

Mr. Pendley has been exercising the authority of the Director since July 2019. Let's get one thing straight: This title has no basis in law. He is serving as Acting BLM Director under temporary appointments that the Secretary keeps renewing in a cynical ploy to evade the Constitution, the Federal Vacancies Reform Act, and the judgment of the Senate.

Mr. Pendley's record on conservation is so bad, so antithetical to the agency he oversees, that the Trump administration knew he wouldn't survive a Senate confirmation. So, instead, they have concocted this shell game.

The Director of BLM is subject to Senate confirmation. This administration did not bother to nominate anyone for 4 years until June of this year when Mr. Pendley was formally nominated. However, the ink had barely dried on his nomination papers before the President was forced to withdraw the nomination.

From the beginning, the conservation outdoor recreation sports men and women communities have been uniformly opposed to Mr. Pendley's appointment, but that is not why the President withdrew his nomination. He withdrew the nomination because Mr. Pendley's extreme anti-public lands positions made him too toxic for Republican Senators from Western States facing tough reelections.

If Mr. Pendley can't be confirmed as BLM Director, he should not remain the de facto leader of the agency. He should be immediately removed. No more shell games. There are many reasons Mr. Pendley is unfit to serve, more than I have time to discuss, but let me discuss three with you now.

First, over the course of his 40-year career, he has established himself as one of the premier anti-public lands crusaders in the Nation. He has repeatedly advocated that the Federal Government sell off public lands, arguing that was the Nation's Founders' intent.

As recently as 2016, he penned an op-ed entitled—and I quote here from his