

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

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#### RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

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#### NOMINATION OF JENNIFER ANN ABRUZZO

Mr. McCONNELL. Mr. President, later today, the Senate will vote on President Biden's nominee to serve as general counsel for the National Labor Relations Board.

There actually shouldn't be a vacancy in this position. When President Biden took office, the person serving as the NLRB's top lawyer was still in the middle of a term to which the Senate had confirmed him. He was doing his job, serving the country, and had no intention to skip out of his responsibilities early.

But less than 30 minutes after pledging to heal and unify the country in his inaugural address, President Biden broke precedent and threatened to fire Peter Robb unless he resigned prematurely that very day.

At the very first instant that the new President's statements about norms, institutions, and governance ran up against the demands of the far left—well, the decision didn't take very long. Where Senate confirmation and fixed terms were supposed to create independence, this administration just wanted partisan loyalty.

Unfortunately, this was not an isolated incident. It has actually been a pattern. This small world of independent agencies has offered us actually a case study in the gap between the administration's unifying rhetoric on the one hand and its divisive actions on the other.

Back in March, the Biden administration took aim at another Senate-confirmed official, the general counsel for the Equal Employment Opportunity Commission. This time, a full 2 years before her term was set to expire. Sharon Gustafson had been engaged in important work, particularly in defense of religious freedom in the workplace. But the President didn't want to wait for our system to play out properly. He broke with norms and he fired her.

Just this month, we witnessed the firing of Andrew Saul, the head of the Social Security Administration. Listen to this. He was just 2 years into a 6-year term. Mr. Saul had kept a critical agency functioning through a historically challenging year. He was not some partisan hack. We are talking about someone the Senate confirmed with 77 votes—77 votes—a bipartisan supermajority for Mr. Saul.

But powerful liberal interests got the President's ear. They wanted their own hand-picked insider. Norms and precedents had to go out the window. Now,

the American people deserve to trust in the independence of crucial watchdog agencies like these, but with these firings, this administration has instead decided to explore frontiers in partisan hardball.

We just spent years listening to the left and the media express outrage over personnel decisions and dismissals, many of which amounted to a heck of a lot less than the three I just mentioned.

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#### VICTIMS OF CRIME ACT

Mr. McCONNELL. Mr. President, on an entirely different matter, later today, the Senate is set to do some bipartisan legislating.

Back in 1984, Congress passed a Victims of Crime Act, which includes an important Federal program called a Crime Victims Fund. When criminals who commit Federal crimes are charged fines and penalties, some of that money flows into this fund. It goes to State-level programs that help crime victims with services, like counseling and emergency shelters. It also helps compensate the victims directly with their expenses, like medical costs, mental health, funeral expenses, and lost wages. Some of the money also goes specifically to fight child abuse.

This fund needs to rest on firm financial footing, but right now it doesn't have that firm footing. Its balance has been shrinking fast. Congress needs to act to prevent big cuts to victims' services, particularly in rural areas.

A number of Senators on both sides have come together and produced bipartisan reforms that will strengthen the program and keep assistance flowing to the survivors of Federal crimes.

The junior Senator from Pennsylvania has a further amendment to make sure the program can't be used as part of budgetary shell games that deliberately cloud Federal accounting. I will support both Senator TOOMEY's amendment and our colleagues' legislation later today.

But on this subject, for goodness' sake, elected officials should not just be racing to replenish the Crime Victims Fund before it runs out. Leaders at local, State, and Federal levels should be acting to confront the surge in violent crime that is plaguing our Nation.

For about a year now, the political left has grown obsessed with the notion that police officers are inherently bad, policing is inherently evil, and what vulnerable neighborhoods really need is less enforcement of the laws.

As one House Member has informed us:

Defunding police means defunding police.

Another put it this way:

Defunding the police isn't radical, it is real.

Well, academic research has confirmed something troubling. The broad anti-police backlash that sometimes follows high-profile, police-involved in-

cidents subsequently leads to less safety, more crime, and more murders. Sure enough, murders have shot up in cities and communities all across our country.

My hometown of Louisville has seen 66 percent more homicides than we had seen by this time last year—66 percent more. Last year was a record year for carjackings and yet Louisville is on pace to match it once again. The city's police department is short more than 200 sworn officers due to low recruitment, low morale, and resignations.

Leaders should be working to contain this damage, but instead of delivering a sober, responsible message, many of the most prominent Democratic politicians instead grabbed their megaphones and amplified the anti-police sentiment as loud as possible.

As I have noted before, attacking and insulting the police is not just a bad strategy for public safety across the board; the data shows it is an especially disruptive approach to advancing racial justice.

The truth is this:

Larger police forces save lives and the lives saved are disproportionately Black lives.

That is another expert study.

So I am glad the Senate will take the important step today of reforming and strengthening the Crime Victims Fund. It certainly belies any notion that we can't legislate in a bipartisan way. We absolutely can and we do. When a bipartisan outcome is what the Democratic majority leader truly wants, it actually makes it possible.

But I wish anti-crime, pro-police, pro-public safety attitudes and policies could be just as bipartisan at the State, local, and Federal levels as today's vote will likely be. Standing up for law enforcement and the innocent people they protect should never be limited to one side of the aisle.

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#### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

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#### CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

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#### EXECUTIVE SESSION

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#### EXECUTIVE CALENDAR

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to executive session and resume consideration of the following nomination which the clerk will report.

The senior assistant legislative clerk read the nomination of Kenneth Allen Polite, Jr., of Louisiana, to be an Assistant Attorney General.

Mr. McCONNELL. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. 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 ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### NOMINATIONS

Mr. DURBIN. Mr. President, I heard the Republican leader on the floor just moments ago talking about the dismissal of some individuals by the Biden administration and their replacement, and his complaint that this violated the norms and the precedents of the U.S. Senate.

There are certainly two words I would offer in response to that assertion: Merrick Garland.

I would offer those words to the Republican leader as a reminder of what he did when there was a vacancy on the highest Court in the land, the U.S. Supreme Court. Antonin Scalia passed away, and a vacancy occurred. It was the last year of the Obama administration.

Tradition suggested that that President of the United States, duly elected and in office, had the responsibility and the opportunity to fill the vacancy, and so he offered as his nominee Merrick Garland from the DC Circuit court.

What happened to Merrick Garland's nomination? What was the norm and precedent? Well, there would be a hearing and a consideration of that nomination and a vote in the U.S. Senate.

That process was stopped in its tracks by one leader, the Republican leader of the U.S. Senate from Kentucky.

So when he talks about norms and precedents and creating and filling vacancies, he has forgotten that he made history in a very unusual way: by violating the most basic norm and precedent that the U.S. Senate had the responsibility to fill a vacancy on the Supreme Court. And the President of the United States, duly elected, was not a lameduck in the last year of his administration.

The second issue which was raised by the Republican leader this morning dealt with the phrase "defunding the police." I have rejected that phrase from the first time I heard it. I couldn't imagine anyone thinking that this was a sensible policy to follow when it came to the security of our homes and our communities.

I can't speak for anybody else in the Senate, but in the awful circumstance when one is called on to dial 911, you certainly hope that the police will answer and that they will be there if they are needed. Defunding them lessens that possibility, and I am not a person who supports that.

I want the very best police and law enforcement. I want them well trained,

and I want them to follow norms and conduct that are respectful of American values. But defunding the police is not something I have ever embraced or ever will.

But it is interesting to hear that argument from the Senator from Kentucky. He said that, in a way, you would be insulting and attacking the police by taking that position. One could argue that, but I would suggest to him that, in his position, stopping the creation of a commission to investigate what happened in this Chamber on January 6 and what happened to 140 members of law enforcement in the Halls of the U.S. Capitol on the same day is not respectful of the police itself.

We have had a plea—a direct plea from the men and women in uniform who guard us in this building to have an investigative commission determine what was behind that insurrectionist mob of January 6 and what we need to do to avoid it in the future. That commission and its prospects were stopped cold by the Republican leader from Kentucky. That is a fact.

In terms of being respectful of law enforcement, allowing that commission to be created—a bipartisan commission—to get to the bottom of that horrible incident, that embarrassing incident in the history of the United States, is the least we can do to respond to what the police who guard us have asked for.

I might add one other element while we are on the discussion of law enforcement and protecting America. We have a special security supplemental appropriation that was created by Senator PATRICK LEAHY of Vermont, the chairman of the Senate Committee on Appropriations, which appropriates the funds to pay the National Guard units who left their families and came here to protect us, and to pay the Capitol Police for the expenses they incurred on January 6 to fortify this Capitol against any future insurrectionist mob. That supplemental appropriations bill, which should have been passed routinely weeks ago, is still languishing for lack of agreement on the Republican side.

If you want to be respectful of law enforcement, whether they are men and women in uniform, in police units, or the National Guard, wouldn't you pay them for the services they have rendered to protect this Capitol and to protect the United States of America?

I call on the Republican leader: Instead of making a speech on the floor, call the Republican ranking member on the Senate Committee on Appropriations and ask him to waste no time in showing respect for law enforcement and to pass that security supplemental.

#### NOMINATION OF KENNETH ALLEN POLITE, JR.

Mr. President, on another topic, this week, the Senate will vote on the nomination of Kenneth Polite. President Biden has nominated him to serve as Assistant Attorney General for the Justice Department's Criminal Division.

As an experienced prosecutor who has served his community throughout his career, Mr. Polite is certainly qualified for this important position. From 2013 to 2017, Mr. Polite served as the U.S. attorney for the Eastern District of Louisiana. While in this role, Mr. Polite's office prosecuted several large, violent, criminal organizations. He held local corrupt politicians accountable and stopped more human traffickers than during any prior U.S. attorney's term in office.

Prior to serving the people of Louisiana, Mr. Polite served as an assistant U.S. attorney in the Southern District of New York, which is a very busy and important office. There, he took on organized crime, fought corruption, healthcare fraud, and identity theft.

In addition to his extensive experience as a public servant, Mr. Polite also has a remarkable personal story. Born to teenage parents, he spent his youth in public housing projects in New Orleans before moving to the Lower Ninth Ward as a child. He graduated high school as the valedictorian of his class, and he went on to earn his undergraduate degree from Harvard and his law degree from the well-respected Georgetown University. After law school, Mr. Polite initially went into private practice, but he was inspired to become a prosecutor after his half brother was tragically killed by gun violence.

Throughout his career, Mr. Polite has always given back to the community that raised him. He has served on the boards of numerous community organizations and schools in New Orleans, and Mr. Polite's track record as an even-handed public servant has earned him support from across the aisle.

In 2011, he was appointed by a Republican Governor of Louisiana, Bobby Jindal, to serve on the Louisiana Civil Service Commission.

Then, last month, the Republican Attorney General of Louisiana, Jeff Landry, publicly voiced his support for Mr. Polite's nomination to this position in the Department of Justice. In a letter to the Senate Judiciary Committee, Mr. Landry wrote that, while serving as U.S. attorney, "Mr. Polite was not only an effective crime fighter, but he was also an invaluable member of the community."

Mr. Polite is an outstanding nominee for this critical role at the Justice Department. You should have been in the Judiciary Committee, which the Presiding Officer serves on, when his nomination came up. The praise that he won from the two Republican Senators of Louisiana is an indication of this man's popularity and of his value to Louisiana and to our country. I hope that he will receive the same broad bipartisan support in the full Senate, and I urge my colleagues to join me in supporting Mr. Polite's nomination.

#### CORONAVIRUS

Mr. President, last week was an important day for literally millions of Americans because the child tax credit