

These schools have sought the best possible medical advice. They are following Federal public health guidelines, and they are committed to protecting the vulnerable.

This is all new territory. There is no manual. Every community faces a unique set of challenges. Every school must chart its own course. Still, we can all agree that during this difficult and challenging time, America's schools must stand with their students, and not just for the well-being of the students but for others as well. Colleges are critical for the economic health of entire communities; hence the name "college towns." Universities are major employers, often the best local source of stable jobs. Many university jobs are also on the line this fall. The college shutdowns have also shut down Main Street. For many small businesses, losing graduation weekend alone was a crushing blow. Can mom-and-pop businesses sustain another lost semester?

Taking away people's educational opportunities, social supports, and livelihoods has a real, negative impact.

Here is the bottom line: We have learned that we can protect people from the virus and we can get back to normal life.

For the good of the whole society, it is so critically important that we reopen now. It is time for America to get back in the saddle again.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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 Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

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 bill 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 nomination of Victor G. Mercado, of California, to be an Assistant Secretary of Defense.

Mitch McConnell, David Perdue, Jerry Moran, Rob Portman, Michael B. Enzi, Deb Fischer, Kevin Cramer, John Thune, John Boozman, Shelley Moore Capito, Marco Rubio, Todd Young, John Barrasso, James Lankford, Tim Scott, James E. Risch, Cindy Hyde-Smith.

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 nomination of Victor G. Mercado, of California, to be an Assistant Secretary of Defense, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from North Dakota (Mr. CRAMER), the Senator from North Dakota (Mr. HOEVEN), and the Senator from South Dakota (Mr. ROUNDS).

Further, if present and voting, the Senator from North Dakota (Mr. HOEVEN) would have voted "yea."

Mr. DURBIN. I announce that the Senator from New Mexico (Mr. HEINRICH), the Senator from Vermont (Mr. LEAHY), the Senator from Massachusetts (Mr. MARKEY), the Senator from Vermont (Mr. SANDERS), the Senator from Hawaii (Mr. SCHATZ), the Senator from Michigan (Ms. STABENOW), the Senator from Montana (Mr. TESTER), and the Senator from Rhode Island (Mr. WHITEHOUSE) are necessarily absent.

The PRESIDING OFFICER (Mr. CRUZ). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 75, nays 14, as follows:

[Rollcall Vote No. 104 Ex.]

YEAS—75

Alexander	Enzi	Murkowski
Baldwin	Ernst	Murphy
Barrasso	Feinstein	Paul
Bennet	Fischer	Perdue
Blackburn	Gardner	Peters
Blunt	Graham	Portman
Boozman	Grassley	Reed
Braun	Hassan	Risch
Brown	Hawley	Roberts
Burr	Hirono	Romney
Capito	Hyde-Smith	Rosen
Cardin	Inhofe	Rubio
Carper	Johnson	Sasse
Casey	Jones	Scott (FL)
Cassidy	Kaine	Scott (SC)
Collins	Kennedy	Shaheen
Coons	King	Shelby
Cornyn	Lankford	Sinema
Cortez Masto	Lee	Sullivan
Cotton	Loeffler	Thune
Crapo	Manchin	Tillis
Cruz	McConnell	Toomey
Daines	McSally	Warner
Duckworth	Menendez	Wicker
Durbin	Moran	Young

NAYS—14

Blumenthal	Klobuchar	Udall
Booker	Merkley	Van Hollen
Cantwell	Murray	Warren
Gillibrand	Schumer	Wyden
Harris	Smith	

NOT VOTING—11

Cramer	Markey	Stabenow
Heinrich	Rounds	Tester
Hoehn	Sanders	Whitehouse
Leahy	Schatz	

The PRESIDING OFFICER. On this vote, the yeas are 75, the nays are 14. The motion was agreed to.

DEFENSE NOMINATIONS

Mr. LEAHY. Mr. President, the President's threat of using military force against protestors is a grossly inappropriate, unnecessary, and dangerous escalation at a time when Americans are looking for constructive and enlightened leadership. America's power and strength derives, above all, not from our military might, but from the values that are at the very foundation of this country, rooted in the First Amendment of the Constitution.

Our country has a long tradition of civilian policing. It is one of the many

ways our government differs from regimes that routinely use the military to intimidate and silence their critics. The Insurrection Act was last invoked nearly three decades ago, to respond to the Rodney King riots in Los Angeles at the request of and by working closely with State authorities.

Its application is not a threat to be cavalierly bandied about, as if our Armed Forces are puppets of the President to evict peaceful protestors for purposes of a staged photo op. I am deeply disturbed that civilian and military leaders joined the President in this misuse of force.

Until the President and his senior military advisers make clear that they understand and accept this, I cannot vote to confirm further nominees to the Department of Defense.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:23 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mrs. CAPITO).

EXECUTIVE CALENDAR—Continued

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Mercado nomination?

Mrs. FISCHER. Madam President, I ask 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 senior assistant legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from North Dakota (Mr. CRAMER), the Senator from North Dakota (Mr. HOEVEN), and the Senator from South Dakota (Mr. ROUNDS).

Further, if present and voting, the Senator from North Dakota (Mr. HOEVEN) would have voted "yea."

Mr. DURBIN. I announce that the Senator from New Mexico (Mr. HEINRICH), the Senator from Massachusetts (Mr. MARKEY), the Senator from Vermont (Mr. SANDERS), the Senator from Hawaii (Mr. SCHATZ), the Senator from Michigan (Ms. STABENOW), the Senator from Montana (Mr. TESTER), and the Senator from Rhode Island (Mr. WHITEHOUSE) are necessarily absent.

The PRESIDING OFFICER (Mrs. BLACKBURN). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 75, nays 15, as follows:

[Rollcall Vote No. 105 Ex.]

YEAS—75

Alexander	Blackburn	Brown
Baldwin	Blunt	Burr
Barrasso	Boozman	Capito
Bennet	Braun	Cardin