

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

## NAYS—15

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

## NOT VOTING—10

Cramer	Rounds	Tester
Heinrich	Sanders	Whitehouse
Hoeven	Schatz	
Markey	Stabenow	

The nomination was confirmed.

The PRESIDING OFFICER. 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 actions.

## 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 nomination of Brian D. Miller, of Virginia, to be Special Inspector General for Pandemic Recovery. (New Position)

Mitch McConnell, Cindy Hyde-Smith, John Boozman, Tim Scott, Marsha Blackburn, Chuck Grassley, Steve Daines, Mike Crapo, Richard Burr, John Cornyn, David Perdue, Martha McSally, John Thune, James M. Inhofe, Kevin Cramer, Ted Cruz, Cory Gardner.

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 Brian D. Miller, of Virginia, to be Special Inspector General for Pandemic Recovery, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The 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 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 yeas and nays resulted—yeas 51, nays 40, as follows:

## [Rollcall Vote No. 106 Ex.]

## YEAS—51

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

## NAYS—40

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

## NOT VOTING—9

Cramer	Rounds	Stabenow
Hoeven	Sanders	Tester
Markey	Schatz	Whitehouse

## EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Brian D. Miller, of Virginia, to be Special Inspector General for Pandemic Recovery (New Position).

The PRESIDING OFFICER. The Senator from Missouri.

## PROTESTS

Mr. BLUNT. Madam President, today we are on the Senate floor at a time when, once again, we are attempting as a country to reconcile things that should have been reconciled long ago. The deaths of George Floyd, Breonna Taylor, and Ahmaud Arbery shocked and outraged the country. The three of them, in a very short period of time, brought again this division we have in our country where we look at the country and particularly look at law enforcement in two different ways.

The discussion I have had with my sons is different from the discussion that many of my African-American friends have had—in fact, as far as I know, all of my African-American friends who ever talked to me about

this have had—with their sons. With my sons, I would say: If you get in trouble, look for a police officer.

That is not the police officer discussion that African-American fathers often have with their sons. That discussion goes more like this: If you are picked up by the police, do exactly what you are told until I get there, and we will straighten it out once I get there.

Those are the two views of what happens.

We see in all of these cases some reason to believe that those concerns are absolute and legitimate. Because of that, there is a wide support for the protests going on around the country. At our leadership stakeout today on the Republican side, everybody was great, I think, understanding the emotion and empathy, and they talked about the importance of peaceful protests as we see these things that have happened.

The problem is we have protests peacefully during the day that turn into violence and chaos at night. The peaceful protests shouldn't become a cover for violent activity. In fact, one of my good friends who planned some protest marches told me today that there has never been a peaceful protest march planned for the nighttime. Nighttime is not the time for peaceful protest marching. It might be the time for a candlelight vigil, but not a time for peaceful protests.

What we see at night are people who either weren't part of that daytime protesting activity or were there in the daytime so they could transition to violence and looting at night. It is absolutely outrageous and absolutely unacceptable.

We saw George Floyd's brother yesterday go to the place where his brother died and say: If I am not looting, if I am not rioting, if I am not destroying other people's property, why would you be doing that?

He was saying: I lost my brother, and I am not trying to destroy my neighborhood because I lost my brother. I am not trying to destroy his neighborhood because my brother is gone.

Yet we see activities happen that are unacceptable on all fronts. Last night, in St. Louis, we had four police officers shot in the line of duty. Sometime earlier in the day, it had been anticipated that at the City Justice Center there would be a planned violent activity. You don't manage to shoot four police officers unless you are thinking about it and normally thinking about it in advance, but that is what happened. Fortunately, those wounds were all survivable.

I talked to people in the police department in St. Louis today, and they had six other events last night where police were shot at during the course of the night. We need to realize that the police officers who work and the National Guard men and women who are working are out there risking their lives trying to protect others. We need

to realize that when they go to work every day, the members of their family have every reason to be concerned all day and every day of what might happen. They don't know what door the person they love may be asked to knock on, what car they may stop, or what moment may happen that makes the difficult life of being in law enforcement even more difficult.

We have certainly seen plenty of tragedies there in recent years, too. It hasn't been that long ago that police officers were being ambushed routinely and a number of police officers were killed while on duty, not while they were trying to apprehend a felon, but when somebody just walks up behind them in the car or on the street and their life is ended.

Then we see the horrifying image of George Floyd's murder. We have the same fear for people in that situation and the people whom they love. In fact, nobody should live in fear in our society of just their personal safety—not the law enforcement officers, not their families, not people who are peacefully protesting, or people who have violated the law and are being arrested, as they should be, but not with the result that we saw. Whether that arrest was appropriate or not, no arrest is appropriate to decide you are going to be the punishing officer as well as the arresting officer.

Those who are in power should be held accountable. Those who are in power should set an example.

I talked this morning to the police chief in Kansas City, Rick Smith, who tomorrow will be joining a unity march with other leaders in the community and protesters in the community. Marching along with the protesters will be Chief Smith and other officers and other elected leaders. That is one way to begin to resolve this.

I also think, having had some experience with this particular topic, that the Justice Department needs to reinstate their full review of department pattern and practice. This is something they have walked away from in recent years, but in our State we had three departments since 2014 that had a full pattern and practice review by the Justice Department. At least one of those entered into a consent decree with the Department as to how they would focus in the future.

I think one of those three—St. Louis County—asked for the review. St. Louis County, the city of Ferguson, St. Louis city—all believe they benefited from that review.

Reviewing an officer or a number of officers is just often not enough, so I am encouraging the Department of Justice to get back to having one of the options on the table a full review by the Civil Rights Division or some other division in the Justice Department, depending on the circumstances, of not only the procedures but also the pattern that a department may have fallen into.

We cannot continue over and over again to have the same thing happen,

as we as a society try to grapple with the same exact problem. This is not a new problem. It is long past the time we should have figured out how to deal with it.

If departments need help in figuring out how to deal with it, that is one of the things that—whether it was St. Louis or Baltimore—the Justice Department has shown some ability and some success in doing. I hope they will look at that again as they look at these three instances that I mentioned today and others.

It is time to move forward. It is well past time to move forward. It is a time when people should have a society—have confidence in the institutions of the society, and those who serve in law enforcement and public assistance of all kinds should also have the appreciation and respect that we should have for them, and, of course, that is a contract where you earn that respect, but you also get that respect when you have earned it, as well over 99.9 percent of those who serve every day do.

I yield the floor.

The PRESIDING OFFICER (Mr. BOOZMAN). The Senator from Illinois.

UNANIMOUS CONSENT REQUEST—S. 1938

Ms. DUCKWORTH. Mr. President, as if in legislative session, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. 1938 and the Senate proceed to its immediate consideration; further, that the bill be read a third time and passed and that 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. GRAHAM. Yes.

The PRESIDING OFFICER. Objection is heard.

The Senator from South Carolina.

Mr. GRAHAM. Mr. President, I think we probably can get there if we talk. We just got this thing at 5:30 last night. It is a grant program to try to strive for better policing, less bias. I get that. Count me in for that concept.

There is a civilian review process about prosecutorial decisions that I don't quite understand. Senator LEE came up and asked me questions about the bill.

So with no animosity, I object at this time. I hope we can get it as part of a broader agenda. On June 16, we are going to have a hearing about all things related to police and race, and we will try to make this part of a package.

So at this time, I do object, and let it go through the committee.

The PRESIDING OFFICER. The objection is heard.

The Senator from Illinois.

Ms. DUCKWORTH. Mr. President, first he said "I can't breathe." Then he called out "Mama" for his late mother.

Last Monday, in broad daylight, George Floyd was slowly, publicly killed by someone whose responsibility it was to protect and serve. Officer

Derek Chauvin, who has since been rightfully fired, spent about 3 minutes ignoring Floyd's cries of pain, refusing to move his knee from Floyd's neck, refusing to let up, to get up, even as the man under him begged for life and lost consciousness. Then he spent roughly another 6 minutes after Floyd had fallen silent ignoring the number of growing of witnesses who begged him to see the obvious—that the man under his knee was unresponsive, that he was dying.

As a mom, there are not words to describe the visceral, gut-wrenching feeling of hearing someone cry out for their mother in a moment of such desperation.

George Floyd's death was unnecessary and heartbreaking. It was a tragedy, but horrifyingly, it was not an anomaly.

From Eric Garner, who told us 6 years ago that he, too, could not breathe, to Tamir Rice, who never made it to his 13th birthday, the senseless killing of unarmed Black Americans at the hands of law enforcement has become an all-too-common occurrence. The horror of the moment, then the outrage and sadness and, yes, anger that follow have turned into a pattern that too many people appear to believe is normal. It is not, and we cannot—must not—let ourselves become numb to the reality in front of us.

George Floyd was someone's son who with his dying breath called out for his mother who had previously passed away. He had a 6-year-old daughter who will not only grow up without a father but knowing that she, too, would face the same danger every day just because of the color of her skin.

George Floyd was born in a country built on the belief that we are all created equal, but he died in a country that still has not fully realized that we must all be treated equally as well.

It is long, long past time for action. We needed it before George Floyd; we needed it before Breonna Taylor, before Laquan McDonald, and before countless others were killed too.

We need real leaders who listen to Americans' cries for help and give those fighting for justice a platform to be heard. But sadly, although unsurprisingly, Donald Trump has done just the opposite over the past few days, trampling First Amendment rights by ordering Federal law enforcement to assault those who stood in the way of his photo-op, exploiting our military and disrespecting our troops by using them as a cudgel to silence our neighbors and further divide our country.

Donald Trump may be our Commander in Chief, but tear-gassing peaceful protestors is not leadership; it is cowardice. Threatening military force against Americans exercising their constitutional right is not Presidential; it is tin-pot dictatorial.

You know, in moments like these, it is more important than ever to recognize the privilege that many of us

have. I will never be forced to sit my daughters down and have the same talk with them that Black mothers have with their children—especially their sons—about how exactly to move and speak when interacting with police officers to preemptively reassure them that they pose no danger; or about the fundamental racism that mars our society that will question their motives and their right to be somewhere just because of the shade of their skin; or about the systemic biases that lead too many Americans, including those in positions of power, to view unarmed Black children as more threatening than White adults holding semiautomatic rifles.

I know that I will never be able to fully comprehend the fear that those parents must face every time their child steps outside, every time they dare to walk to school or play on the playground or buy some Skittles while Black. But what I do know is the burden of all this pain and trauma cannot fall and should not fall on those families alone. The responsibility, the work, the bending of the moral arc of the universe toward justice cannot just be put on the backs of the very people who have been feeling its weight this entire time.

The systemic injustices in our country are not going away by themselves, and they will not be solved if too many good, decent Americans remain silent. If we choose to avoid difficult realities and tough conversations simply because they make us uncomfortable, we are failing to do our part in achieving anything close to a more perfect union.

Those of us who have benefited from the privileges we have been afforded by society, we have a duty to recognize the costs borne by those who have been denied those same privileges for generations.

I don't claim to have all the answers, but I do know that we must do more. On a personal level, for me, that has included spending time with both of my daughters, discussing what true justice and equality means and how to practice it so that if they grow up to become police officers themselves, they don't reflexively treat Black Americans as more dangerous than anyone else; so that when they see a young Black man shopping, their first thought would never be that he is shoplifting; so that no matter what they do in life, they judge people by the content of their character and not the color of their skin.

My girls may be just 5 and 2, but it is never too early for us to talk to our kids about treating others how we want to be treated because our neighbors, our American brothers and sisters, need more vocal allies in this fight. I hope to raise two of those allies in my two girls. Today, I hope to find 99 fellow allies in my colleagues here in the Senate. It is on each of us lucky enough to serve under this great Capitol dome to use this moment to fight for justice and accountability for those

families like George Floyd's who had someone so cruelly and needlessly stolen from them.

So I have come to the floor today to request unanimous consent on S. 1938, the Police Training and Independent Review Act, the second bill I ever introduced into this august body more than 3 years ago. This bill would demand that local law enforcement agencies change use-of-force policies and that every American receive fair treatment under the law—commonsense policies that I believe responsible law enforcement officers would welcome so they could better protect and serve their communities.

It would establish a new grant program so States can implement racial bias training at police academies to help officers deescalate tense situations. It would also encourage States to establish a transparent system where independent prosecutors review police uses of force and prosecute officers who break the laws they were entrusted to enforce, because local prosecutors do have a bias. They rely on the same police departments to win other cases, which is why it is so critical that we let outside independent prosecutors do the investigating and prosecuting of our law enforcement officers who do not follow the law themselves instead.

For me, it comes down to this: We cannot let ourselves accept that, in the United States of America, in the year 2020, Black men are still being publicly executed without judge or jury. For about 9 minutes last Monday, somebody's son and somebody's father was forced to know he was dying and forced to beg for his life until he couldn't beg anymore.

George Floyd cannot breathe anymore. So it is on those of us lucky enough to still be here today, to still be breathing, to use every breath we have to fight for the justice that he was robbed of on that street in Minneapolis last week. I know I will, and I hope every other American will join me.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I ask unanimous consent to finish my remarks before the vote.

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

Ms. KLOBUCHAR. Mr. President, I come to the floor today to honor a life lost, share in the grief of a family and a Nation in pain, and call for this body to take action to reform a system that has been broken for too long.

George Floyd should be alive today, but he isn't. He was murdered by police in my State—a death both horrifying and inhumane but not unique. We literally saw his life evaporate before our eyes. The whole country saw it. The whole world saw it.

We know that our African-American community in Minneapolis and across America has seen this horror before

and has experienced injustice for far too long. They have had enough. They are angry and in pain, and they are calling out for justice.

Senators, we cannot answer with silence. That would make us complicit. We cannot answer with what the President called dominance. That would make us monsters. We cannot answer with using churches as props and Bibles as props and inflaming violence. We must answer with action. That is what makes us lawmakers.

For 13 years, here in Washington, change has come inch by inch when we should be miles ahead. I pick that time because that is when I first got here. That is when I first started doing work on crack cocaine and sentencing disparity, and I have seen those changes, but it is inch by inch.

First, there needs to be justice for George Floyd. There needs to be criminal accountability to the fullest extent of the law. Minnesota attorney general Keith Ellison, with whom I have worked closely for years, has taken over the investigation and the prosecution of the case. I have full faith in his conviction for justice in this case and beyond.

Sweeping reform starts with accountability in this individual case, but it doesn't end there. We all know that these officers work within a bigger system, so that is why I called for a full-scale investigation into the patterns and practices of racially discriminatory policing in the Minneapolis Police by the Department of Justice, in addition to ongoing local, State, and Federal investigations.

Senator SMITH and I led a request with 26 Senators asking the Justice Department to conduct what is called a pattern-and-practice investigation. This afternoon, the Minnesota Department of Human Rights announced that they are going to investigate the police department as well.

The words engraved on the Supreme Court building, "Equal Justice Under Law," we know have never really been true for millions of African Americans, Hispanics, American Indians, and other minority groups. There is systematic racism at every level of our judicial system, and that calls for systematic change.

We must take action to end unconstitutional, discriminatory policing across the country. We can start by making sure that policemen's conduct is independently investigated and that we hold officers criminally accountable when they break the law and violate the trust that is needed between law enforcement officers and the people they have sworn to protect.

We also need strong Federal requirements for State and local police to collect and report data on the use of force. Right now, a patchwork of local policies, many of which allow local police to avoid accountability, make it far too difficult to identify and address patterns of discrimination and excessive force in police departments. Better

data will help hold officers and departments accountable.

Broader criminal justice reform and the standard for use of force—all of those things must change. As I mentioned, we have done something. We passed the First Step Act when it comes to sentencing, but now we need to take on the Second Step Act to create incentives for States to restore discretion for mandatory sentencing for nonviolent offenders and reform the conditions in State prisons and local jails.

We know these conditions have gotten even worse during the coronavirus pandemic. Earlier today, we held a hearing in the Judiciary Committee about the continued injustice we are seeing in our prison system during this pandemic. While some people, like Paul Manafort, have been transferred to home confinement, others, like Andrea Circle Bear or Andrea High Bear, who is serving 26 months for a nonviolent drug offense and had just given birth while on a ventilator—why? She was exposed to the virus. So the question is, Why did a pregnant woman with a preexisting condition—an American Indian woman who was there for a nonviolent offense—why was she there in the prison system and Paul Manafort gets out?

We should also create a diverse, bipartisan clemency advisory board—one that includes victim advocates as well as prison and sentencing reform advocates—that would look at these issues from a different perspective.

We should strengthen post-conviction reviews with conviction integrity units across the country. According to data from the National Registry of Exonerations, there are currently fewer than 60 conviction integrity units in the United States, and many of those are too weak to be effective. Attorney General Ellison and I have been working with prosecutors in Minnesota to set up a conviction integrity unit in the Twin Cities with strong, strong standards for independence and transparency. This needs to happen nationally.

We should also expand post-conviction sentencing reviews. Ensuring justice isn't just looking back at a case to see whether the evidence was right; it is also looking to see whether the sentence was right in a situation.

All of this—expanding our Nation's drug courts, which is something that I have been leading on in the Senate for years, changing that conversation about drug and alcohol treatment, reforming the cash bail system—if there is anything we as a Senate can do to eliminate injustice within our justice system, we should do it, and we should do it now. Talk is no longer enough.

We know this pandemic has shed a light on the injustice we have already seen, as Senator DURBIN, who was here, and I discussed about the prison system today. We also see it in the number of people dying. In Louisiana, African Americans account for nearly 60

percent of deaths but 33 percent of the population. In Georgia, a study of eight hospitals found that 80 percent of their COVID-19 patients were African Americans yet 30 percent of the population. The workers on the frontline, the people who are working not just in the hospitals, not just in the emergency rooms, but in the grocery stores, driving the public transportation, are getting this virus—this sometimes fatal virus—at a much higher rate. This calls for not only the reforms that I laid out and that I have been advocating for years but also calls for investment, like JIM CLYBURN's plan to invest in underserved areas and impoverished areas that have been that way for a long, long time. Senator BOOKER is carrying that bill in the Senate.

Martin Luther King once said that we are “all tied in a single garment of destiny. Whatever affects one of us directly, affects all indirectly.” That means, in the long term, an economy that works for everyone, with fair wages, with childcare, and with retirement savings. It means closing the wealth gap. Black and Latino households have only about a tenth of the medium net worth right now of White households. It means voting rights.

The scene that we saw in Wisconsin where people were standing in the rain with homemade masks and garbage bags just to be able to vote, risking their lives and their health, while the President of the United States was able to vote in the luxury of 1600 Pennsylvania Avenue because he could get a mail-in ballot from Palm Beach, FL—that is a split screen for you. That is why people are out peacefully marching. That is what they are angry about. It is police misconduct. It is the murder of George Floyd. It is the longtime economic disparities, but it is also the longtime suppression of the vote and the unfairness of all of this.

This has been a devastating time for Minnesota, but as George Floyd's family, whom I had the honor to talk with at length this weekend, said: We cannot sink to the level of our oppressors, and we must not endanger others during this pandemic. We will demand and ultimately force lasting change by shining a light on treatment that is horrific and unacceptable and by winning justice.

That is what they are talking about in Minnesota today. That was the spirit that I saw when my husband and I went to drop off food, where hundreds of people were there with thousands of bags of groceries because their grocery stores in that neighborhood had been burned to the core and their stores had been looted, not by the peaceful, righteous marchers but the people who were hiding behind them.

I will end with this. A few years ago I went to Selma, AL, with Representative JOHN LEWIS, like so many Senators have done. I stood there on the bridge where he had his head beaten in. I was in awe of his persistence, his resilience, and his faith that this country

could be better, if only we put in the work. That weekend, after 48 years, the White police chief of Montgomery handed his police badge to Congressman LEWIS and publicly apologized on behalf of the police for not protecting him 48 years before and not protecting his freedom marchers.

I don't want to take 48 years for my city and my State to heal or for our Nation to fix a justice system that has been broken since it was built. I want justice now. The people of this country deserve justice now. Everyone has a role to play in coming back from these crises. The protesters are shining a light on injustice that we have pushed to the shadows for far too long. The frontline workers and volunteers are serving the communities they love, and they are looking to all of us to deliver the reforms we promised—not just in speeches, not just in campaigns, but in reality, and not just for George Floyd. His legacy should be so much more than those 9 minutes—or Philando Castile or Jamar Clark or Breonna Taylor—because we took an oath.

We took an oath, colleagues. We didn't wave a Bible in the air for a photo op. We placed our hand on that Bible, and we swore to support and defend the Constitution of the United States against all enemies, foreign and domestic. The enemy we face now is racism. The enemy we face now is injustice. I don't know what else to say because too many words have been said, and maybe it is time to stop talking. Maybe it is time to start acting. It is time to get to work. It is time to do our jobs.

I yield the floor.

The PRESIDING OFFICER (Mr. CASSIDY). The Democratic leader is recognized.

#### UNANIMOUS CONSENT REQUEST

Mr. SCHUMER. Mr. President, first I would thank my friend and colleague, the senior Senator from Minnesota, for her eloquent, passionate words that tell the story of how she has done so much good and is working so hard to heal the wounds of Minnesota. We all appreciate it, Minnesotans and many Americans.

Now, last night, as peaceful citizens exercised their constitutional right to protest in Lafayette Park, across from the White House, Federal law enforcement officers were ordered to clear out the crowds with tear gas and rubber bullets so that President Trump could walk from the White House to a nearby church for a photo op.

He did not enter the church. He did not offer words of prayer. The crowds were dispersed with force so that he could get his picture taken with a Bible that wasn't his and was held upside down in front of a church he never asked to visit.

I spoke at length about these events this morning. The aggressive use of force on law-abiding protesters was appalling. It was an abuse of Presidential power. It may have been illegal. It was certainly a violation of the constitutional rights of American citizens. The

protesters, some of them children, many of them families, there in the public park to peacefully protest were met with rubber bullets and tear gas. This has no place in American society or any democracy worthy of the name. The President must cease his behavior.

The images from last night should disturb all of us and must be condemned by the United States Senate. They cannot go unanswered, less the President be encouraged to do even greater abuse because he has no self-restraint.

In a few minutes, I will ask the Senate's consent to pass a simple resolution that says three things: first, that the constitutional rights of Americans must be respected; second, that violence and looting are unlawful and unacceptable; and, third, that Congress condemns the order to have Federal officers use gas and rubber bullets on peaceful protesters.

This resolution is not a substitute for critical law enforcement and racial justice reforms that are badly needed, but this unconstitutional action by this lawless President requires a response from this body.

I hope all Senators will support this resolution. Democrats are outraged. Republicans should be outraged as well. For my friends on the other side who claim they have not seen the events of last night, I suggest you find a moment and turn on the television.

Our Republican colleagues cannot be objecting to our resolution on the false grounds that it doesn't reject violence. It does. Let me read you the words again in the resolution: "Violence and looting are unlawful, unacceptable, and contrary to the purpose of peaceful protest." It is right there in the resolution.

What other reason would any Republican Senator have to object to the things in this resolution? If a Senator objects, they should be asked which of these things do they disagree with. Do they believe Americans do not have the constitutional right to exercise the freedom of speech, the freedom of assembly, and the right to petition their government? Do they believe Americans do not have the right to peacefully protest? Do they disagree with the statement that violence and looting are unlawful and unacceptable, or do they support the President's use of tear gas against people, including families, who are peacefully protesting in a public park? Which is it?

Any objector should explain why the simple resolution I offer today is so unacceptable to them.

Mr. President, as if in legislative session, I ask unanimous consent that the Senate proceed to the immediate consideration of a concurrent resolution expressing the sense of the Congress that the constitutional rights of Americans must be respected; that violence and looting are unlawful and unacceptable; and that Congress condemns the President for ordering Federal officers to use gas and rubber bullets against

peaceful protesters in Lafayette Square in Washington, DC, on June 1, 2020; that the concurrent resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The majority leader.

Mr. McCONNELL. Mr. President, reserving the right to object, first and foremost, I am a First Amendment absolutist. The right to peaceful protest is absolutely sacrosanct. It is a core American liberty. When peaceful demonstrations occur within the bounds of the law and with respect to the needs of law enforcement, leadership at every level has an obligation to respect and honor them.

Our Nation must not turn a deaf ear to the anger, pain, or frustration of Black Americans. Our Nation needs to hear them. There is no question that the killing of George Floyd was horrific. In my view, it absolutely appears to have been a heinous act of criminal violence. It is totally unacceptable that Mr. Floyd is dead. There is no doubt that residual racism continues to be a stain on our country. We need to do more to address it.

Over the last few days, we have seen peaceful protests hijacked on a nightly basis into a rolling series of riots that engulfed great American cities in wanton destruction and violent crime.

These are the two issues the American people are focused on: justice for Black Americans in the face of unjust violence and peace for our country in the face of looting, riots, and domestic terror. Those are the two issues that Americans want addressed: racial justice and ending riots.

Unfortunately, this resolution from my friend the Democratic leader does not address either one of them. Instead, it just indulges in the myopic obsession with President Trump that has come to define the Democratic side of the aisle. It pays more attention to the precise ways that Federal law enforcement protects Presidential movements around the White House than to the fact that great American cities, including my colleague's beloved New York, have been consumed by rioting, looting, and violence against police for several nights in a row, with no end in sight.

Outside of the Washington, DC, bubble, there is no universe where Americans think Democrats' obsession with condemning President Trump is a more urgent priority than ending the riots or advancing racial justice. There is no universe in which the dynamics of Lafayette Park before the President seeks to exit the White House is a more urgent national priority than the shattered glass, destroyed businesses, and brutal attacks on law enforcement that are happening nationwide in places like Lafayette Street in New York City.

I will object to my distinguished colleague's thin resolution and will offer

something more full-throated in its place.

My resolution would condemn a long pattern of unjust police violence toward Black Americans. It would champion the First Amendment and praise the peaceful protests that followed Mr. Floyd's death. It would clearly condemn the violent rioting that has paralyzed places like New York City and insist that local authorities finally get serious about protecting the innocent.

I hope my distinguished colleague will not object. America is united and outraged at the death of Mr. Floyd, and I hope we can unite to condemn these senseless riots and move forward together as one Nation. Therefore, I object.

The PRESIDING OFFICER. Objection is heard.

UNANIMOUS CONSENT REQUEST—S. RES. 601

Mr. McCONNELL. Mr. President, as in if legislative session, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 601 submitted earlier today. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. SCHUMER. Reserving the right to object.

The PRESIDING OFFICER. The Democratic leader.

Mr. SCHUMER. Mr. President, it is very simple why the Republican leader objected to our resolution and offers this one instead. It is because they do not want to condemn what the President did, though every fair-minded American of any political party would.

We certainly should condemn violence. Let me repeat: This resolution condemns violence. But it is insufficient, in the light of what happened yesterday, to just condemn violence and not condemn what the President did as well, so I will object to my colleague's resolution.

The PRESIDING OFFICER. Objection is heard.

VOTE ON MILLER NOMINATION

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

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

Mr. PORTMAN. 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 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. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 51, nays 40, as follows:

[Rollcall Vote No. 107 Ex.]

#### YEAS—51

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

#### NAYS—40

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

#### NOT VOTING—9

Cramer	Rounds	Stabenow
Hoever	Sanders	Tester
Markey	Schatz	Whitehouse

The nomination was confirmed.

The PRESIDING OFFICER. 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.

The Senate majority leader.

#### ORDER OF PROCEDURE

Mr. MCCONNELL. Mr. President, I ask unanimous consent that notwithstanding the provisions of rule XXII, the cloture motions with respect to the Anderson and Tipton nominations ripen at 12 noon tomorrow; I further ask unanimous consent that if cloture is invoked on the Anderson nomination, the postcloture time expire at 2:15 tomorrow; further I ask unanimous consent that if cloture is invoked on the Tipton nomination, the postcloture expire at 4:30 p.m. tomorrow; finally, if either of the nominations are confirmed, the motions to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's actions.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

#### 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.

#### REMEMBERING PETER M. PINO

Mr. HEINRICH. Madam President, it is an honor to recognize the enormously impactful life of Governor Peter M. Pino. The Pueblo of Zia, and New Mexico as a whole, have lost one of our greatest leaders.

Peter M. Pino devoted his entire life to serving the people of the Pueblo of Zia. For more than four decades, he served the Pueblo of Zia as Governor, War Chief, Tribal council member, Tribal administrator, and treasurer. He was also a traditional spiritual leader and held a lifetime appointment as one of the Pueblo's Keeper of Songs. As a traditional artist, Governor Pino employed techniques passed down to him by his Puebloan ancestors to craft works in rock, tan deer hides, and make moccasins, bows, arrows, digging sticks, rabbit sticks, and bone tools.

He also played an instrumental role in the Pueblo's ongoing effort to repatriate and protect a treasured part of Zia's heritage and cultural property, its sacred sun symbol. Almost a century after the State of New Mexico appropriated this sacred symbol on its flag, Pino helped lead the Pueblo's actions to seek compensation, public education and engagement, and permission for commercial uses. Thanks to this work, Eastern New Mexico University changed the name of its women's athletic teams, and multiple companies have voluntarily sought permission and advice from the Pueblo on how they will depict the symbol and contributed proceeds from sales to a scholarship fund for Zia youth.

Governor Pino also used his deep historical and archaeological knowledge to serve on boards and committees that advised the Crow Canyon Archaeological Center, Mesa Verde National Park, and the Native American Rights Fund. Governor Pino also served as vice chair of the New Mexico Office of Indian Affairs and was the first Native American to serve on the New Mexico Game and Fish Commission.

On a personal note, Governor Pino was one of my first mentors in public service in New Mexico and dear friend. He shared traditional knowledge and perspectives with me that helped form the foundation of my respect for Tribal governments, religions, and culture. I am heartbroken that I did not spend more time learning directly from Governor Pino because his generosity knew no bounds. I was, however, fortunate enough to attend a number of feast

days at the Pueblo of Zia and left the Pino home with a tighter belt and great appreciation for the delicious and healthy traditional food that Peter and his wife Stella embraced.

When I began advocating for land conservation in New Mexico, Governor Pino showed me how important sacred sites and cultural landscapes are to the Tribal nations in our State. He was also an example of statesmanship to whom I will always look. In fact, I was able to travel to Washington, DC, with Governor Pino when I was just a city councilor. Observing how he interacted with my State's congressional delegation was a very formative experience.

Watching him work to protect the Ojito Wilderness and reclaim lands from the Bureau of Land Management that contained cultural sites also taught me how critical it is for Tribes to have a meaningful seat at the table in conservation and land management decisions.

My thoughts are with Governor Pino's family and the Pueblo of Zia during this time of mourning. His legacy will never be forgotten.

#### ADDITIONAL STATEMENTS

#### RECOGNIZING IDEAL ALUMINUM PRODUCTS, LLC

• Mr. RUBIO. Madam President, as chairman of the Senate Committee on Small Business and Entrepreneurship, each week I recognize a small business that exemplifies the American entrepreneurial spirit at the heart of our country. It is my privilege to recognize a small business that is known for excellence in its industry, outstanding craftsmanship, and creating dignified work in their community. This week, it is my pleasure to recognize Ideal Aluminum Products, LLC of St. Augustine, FL, as the Senate Small Business of the Week.

In 2010, Michael Siegel and Doug Brady purchased Ideal Aluminum Products. Based in DeLand, FL, this fence, gate, and railing manufacturing company had recently gone out of business. Doug, an alumnus of the University of South Florida, had also worked with Michael at Ideal Gas, LLC. Together, the two planned to turn this new company around.

Over the next decade, Michael and Doug grew Ideal Aluminum into an industry leader. A favorable business environment and proximity to I-95 spurred Ideal Aluminum's relocation to St. Augustine in 2015. Their success as a local manufacturer and commitment to job creation was honored by then-Governor Rick Scott, who issued a monthly job report at their facility in 2016.

Ideal Aluminum has been an ardent supporter of community development. In 2011, Ideal Aluminum manufactured, donated, and installed railings for ABC's "Extreme Makeover: Home Edition." They were recognized in 2015 by