

## CORONAVIRUS

Mr. SCHUMER. Mr. President, faced with the greatest economic challenge in 75 years and the greatest public health threat in a century, we Senate Democrats have been waiting for months for our Republican colleagues in the Senate to get serious about another round of emergency relief for the American people.

Now that Senate Republicans have finally woken up to the calamity in our country, they have given up wishing it would go away, following the President's wishing everything would go away, to the detriment of this country. Our Republican colleagues have been so divided, so disorganized, and so unprepared that they have to struggle to draft even a partisan proposal within their own conference. This is before they talk to a single Democrat. This is before they even consider what the House has done.

It does seem that sometime soon, Republicans may finally unveil a legislative proposal, but because they are so disorganized and divided, they can't agree on a series of smaller bills that don't even amount to one coherent proposal. Even after all this time, it appears the Republican legislative response to COVID is ununified, unserious, unsatisfactory. Let me repeat that. Despite hitting the "pause" button on the Senate for 3 months, despite waiting more than 60 days after the House Democrats passed their plan to start work on their own, the Senate Republican response to COVID is ununified, unsatisfactory, and, fundamentally, unserious.

From what we know, their proposal or series of proposals will not include food assistance for hungry kids. Families where the parent has lost a job through no fault of her or his own can't feed their kids in this proposal, as we hear about it.

From what we know, it will not include rental assistance or extend the moratorium on evictions that is keeping tens of millions of Americans with a roof over their heads. Millions of Americans have lost their jobs through no fault of their own. They can't pay the rent or the mortgage, and our Republican friends say: Evict them.

It will not provide hazard pay to our essential workers, who have been risking their lives and their families' lives ever since this crisis began. It will not make the necessary investments in communities of color that have been ravaged by this virus disproportionately so. It will not provide the new funding that State and local governments need to keep the busdrivers and sanitation workers, teachers, and so many others on the job. From what we know, it will not even include funding to ensure that our elections are safe this fall during this COVID crisis.

Remarkably, the likely centerpiece of the Republican legislative response to COVID is not an aid package for the 20 to 30 million unemployed Americans or a massive influx of resources to test

and trace and finally stop the spread of this evil disease. The centerpiece of the Republican proposal is a liability shield to protect big corporations from lawsuits if they put their workers at risk—seriously. As COVID continues to surge throughout our country and unemployment numbers rose again for the first time in weeks, Leader MCCONNELL has made corporate immunity the centerpiece of this Republican response. Once again, the Republican Senate is far more comfortable providing relief to big corporations than relief to American workers and American families.

How about instead of shielding corporations from liability, we shield renters from eviction? How about instead of shielding corporations from liability, we shield the unemployed from poverty?

Even in those areas where the Senate Republicans seem to be moving a bit in our direction, it looks like they are coming up way short. Republicans aren't talking about providing enough resources for our schools to reopen safely. According to reports, the White House and Senate Republicans want to extend the enhanced unemployment benefits the Democrats secured in the CARES Act but only provide a percentage of a worker's former wage.

That is right, America. If you have lost your job through no fault of your own and can't go back to work because this administration has mismanaged the crisis, Republicans want you to take a 30-percent pay cut in the middle of this crisis.

Worse still, because Republicans dithered and delayed for so long, there will be an interruption in unemployment benefits. Eviction protections will expire no matter what we do because they waited until the last minute and, even at this last minute, can't seem to get their act together.

Leader MCCONNELL and Senate Republicans dismissed the House-passed Heroes Act because it included a few items that Republicans didn't think were absolutely necessary.

Senate Republicans can't even get their act together to provide the basics—food for kids, keeping Americans in their homes, preventing the unemployed from going into poverty, and giving the economy the needed help so we can overcome this recession.

You can't say you support essential workers and then refuse to give them hazard pay. You can't say you want to fix racial issues and then throw millions of Americans of color out of housing and off unemployment benefits during a pandemic. You can't say you want to honor John Lewis and then refuse to provide funding for safe elections.

Congress needs to act quickly, but the developing Republican proposals are not going to get the job done. We need to immediately enter bipartisan, bicameral negotiations to develop a proposal that actually meets the moment and matches the scale of the crisis.

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

The PRESIDING OFFICER (Mrs. HYDE-SMITH). Without objection, it is so ordered.

## RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

## CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

## LEGISLATIVE SESSION

## NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2021—Resumed

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 4049, which the clerk will report.

The senior assistant legislative clerk read as follows:

A bill (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.

Pending:

Inhofe amendment No. 2301, in the nature of a substitute.

McConnell (for Portman) amendment No. 2080 (to amendment No. 2301), to require an element in annual reports on cyber science and technology activities on work with academic consortia on high priority cybersecurity research activities in Department of Defense capabilities.

## RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

## VOTE ON AMENDMENT NO. 2080

Mr. MCCONNELL. Madam President, I know of no further debate.

The PRESIDING OFFICER. If there is no further debate, the question is on agreeing to amendment No. 2080.

The amendment (No. 2080) was agreed to.

## VOTE ON AMENDMENT NO. 2301, AS AMENDED

The PRESIDING OFFICER. The question is on agreeing to amendment No. 2301, as amended.

Mr. MCCONNELL. 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.

The result was announced—yeas 88, nays 12, as follows:

[Rollcall Vote No. 138 Leg.]

YEAS—88

Alexander	Fischer	Reed
Baldwin	Gardner	Risch
Barrasso	Graham	Roberts
Bennet	Grassley	Romney
Blackburn	Hassan	Rosen
Blumenthal	Hawley	Rounds
Blunt	Heinrich	Rubio
Boozman	Hirono	Sasse
Brown	Hoeven	Schatz
Burr	Hyde-Smith	Schumer
Cantwell	Inhofe	Scott (FL)
Capito	Johnson	Scott (SC)
Cardin	Jones	Shaheen
Carper	Kaine	Shelby
Casey	King	Sinema
Cassidy	Klobuchar	Smith
Collins	Lankford	Stabenow
Coons	Leahy	Sullivan
Cornyn	Loeffler	Manchin
Cortez Masto	Manchin	Tester
Cotton	McConnell	Thune
Cramer	McSally	Tillis
Crapo	Menendez	Toomey
Cruz	Moran	Udall
Daines	Murkowski	Van Hollen
Duckworth	Murphy	Warner
Durbin	Murray	Whitehouse
Enzi	Perdue	Wicker
Ernst	Peters	Young
Feinstein	Portman	

NAYS—12

Booker	Kennedy	Paul
Braun	Lee	Sanders
Gillibrand	Markey	Warren
Harris	Merkley	Wyden

The amendment (No. 2301), as amended, was agreed to.

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 assistant 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 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, Mike Crapo, Pat Roberts, John Cornyn, John Barrasso, Cory Gardner, Roy Blunt, Thom Tillis, Marsha Blackburn, Mike Rounds, Shelley Moore Capito, Kevin Cramer, John Thune, James M. Inhofe, Jerry Moran, Joni Ernst, John Boozman.

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 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, 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 yeas and nays resulted—yeas 86, nays 14, as follows:

[Rollcall Vote No. 139 Leg.]

YEAS—86

Alexander	Feinstein	Peters
Baldwin	Fischer	Portman
Barrasso	Gardner	Reed
Bennet	Graham	Risch
Blackburn	Grassley	Roberts
Blumenthal	Hassan	Rosen
Blunt	Hawley	Rounds
Boozman	Heinrich	Rubio
Braun	Hirono	Sasse
Burr	Hoeven	Schatz
Cantwell	Hyde-Smith	Schumer
Capito	Inhofe	Scott (FL)
Cardin	Johnson	Scott (SC)
Carper	Jones	Shaheen
Casey	Kaine	Shelby
Cassidy	King	Sinema
Collins	Klobuchar	Smith
Coons	Lankford	Stabenow
Cornyn	Leahy	Sullivan
Cortez Masto	Loeffler	Sullivan
Cotton	Manchin	Tester
Cramer	McConnell	Thune
Crapo	McSally	Tillis
Cruz	Menendez	Toomey
Daines	Moran	Udall
Duckworth	Murkowski	Warner
Durbin	Murphy	Whitehouse
Enzi	Murray	Wicker
Ernst	Perdue	Young

NAYS—14

Booker	Lee	Sanders
Brown	Markey	Van Hollen
Gillibrand	Merkley	Warren
Harris	Paul	Wyden
Kennedy	Romney	

The PRESIDING OFFICER (Mr. SCOTT of Florida). On this vote, the yeas are 86, the nays are 14.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Mr. President, I ask for the opportunity to address the issue before us.

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

PROTESTS

Mr. MERKLEY. Mr. President, across America, crowds have been assembling, saying: This is a moment in which we must not only have a national conversation about public safety and racism, but we need action. We need to change the scenario that exists in so many places where public safety departments have seen one group of citizens in a community as their clients and another group of citizens as the threat, which leads to systemic racism, differences in approach depending on the color of the skin of the person that you are dealing with. It may be as simple as saying: Let's stop that person. They have dark skin, and they are driving through this neighborhood, and maybe they don't belong here. Let's stop that person because they have dark skin, and maybe they are dealing drugs.

That is systemic racism and profiling.

This is a discussion about what value we should aim for here in America. That value is that every member of the community is a client; that there is the goal of providing equal public safety services to all and treating each and every person the same regardless of the

color of their skin; and to have each public safety officer say "How would I respond differently if I saw three young teenagers running toward a house and they were Black rather than White?" and taking that into account and saying "Would it change that? Would I respond the same?"

They are all our clients. We are here to serve everyone. That is the national discussion. People come into the streets and protest.

This is a group of African-American, Black American protesters in Oregon. One of them is wearing a T-shirt saying "We March, we sit down, we speak up, we die."

When I read that, I was thinking about the experience I had a number of years ago when a Black American was working with me rebuilding a house, helping me out for a few weeks. We went out into suburban Maryland. This was back in the 1980s. We were trying to find a particular part or piece of equipment. We didn't know where that speciality store was. We pulled up next to a sheriff. The sheriff's car had two White sheriffs in it and a shotgun propped up between the seats.

I said to my friend: Hey, roll down your window and ask those sheriffs where this place is.

He started to roll down the window. He looked over and saw the two White sheriffs with the gun between them, and he never said a word. He just turned back. He looked straight ahead, and he looked terrified.

I saw those sheriffs as people who work for me—who should work for everyone—and we could ask them for their help. He saw them as people who—if he started a dialogue with them, he might end up in deep trouble, in physical harm. That is what this conversation is about. That is what we are seeking to change in America.

This idea of protesting for change is as American as apple pie. This is as American as the American Revolution, people standing up and saying: This is not right. Freedom of speech and freedom of assembly are core values of what it means to be a "we the people" republic.

These protesters—often African American, often of many races—have been coming together. There have been some folks—often younger folks—who have come to cause a bit of trouble that goes beyond simple protesting.

We had a challenge in Portland of White extremists—often dressing in camouflage, antifa members who are looking for a fight—conflicting, often late at night. Portland has worked very hard to deescalate that situation—to deescalate it, to empower the message that the protesters are bringing about restructuring systemic racism, ending systemic racism. These acts, these conflicts, take away from that message.

As they worked so hard to deescalate, along came President Trump. Trump had a different objective: He wanted to escalate violence on the

streets of Portland. I can tell you, there is a huge difference between protesting and making your message known and respecting that and having a government that respects it. It is our government, our “we the people” government. And this a government—an Executive in the Oval Office who deploys Federal forces to create chaos and violence and to attack peaceful protesters.

I have come to the floor twice in the last 2 days to go through and show the camouflaged, battle-ready troops deployed by Trump who are coming in a secret fashion, eliminating any indication of whom they work for. Are they Customs and Border Protection? Are they Federal Protective Service? Are they U.S. Marshals? They have no identity and have stripped all their unique identifiers, which means they can club a peaceful protester, they can shoot them in the head, and nobody knows who did it because there is no ID on their uniform. There is no accountability and no discipline and outrageous attacks on peaceful protesters.

I was here speaking yesterday, and I asked for consideration be given on this floor for my amendment to end secret policing. It is a very simple amendment that says: You wear identification of your agency. You wear a unique identifier. You don't go outside your mission of protecting a Federal building unless you are in partnership with a Governor or a mayor. It is that simple. So simple.

But my Republican colleague came down and objected to consideration of this amendment. I think, in essence, he didn't believe the story I am presenting. He didn't believe the story I am telling you about peaceful protesters being attacked. Maybe because it is so outside the conception of what a President would do, the thought is just hard to acknowledge, that we have a President who embraces this secret police strategy of assaulting peaceful protesters and grabbing people out of the crowd and throwing them into unmarked vans. It is hard to imagine.

It is hard to imagine a President of the United States admiring authoritarian dictators across the planet, but we have a President who admires the authoritarian dictator-style tactics of Duterte in the Philippines and who admires the Crown Prince, who assassinated and dismembered an American-based reporter for the Washington Post. We have a President who admires Putin, who crushes the civil rights of his people. We have a President who admires the strong-arm tactics Erdogan is employing in Turkey. That is what we have. Until now, he didn't bring the secret police to the streets of America; now he has.

I am going to try a different way of conveying what is going on and do it in the voices of women who were there at the protests 2 nights ago to try to convey what is happening on the streets of Portland and how terribly, terribly wrong it is.

The message “All Mothers Were Summoned When He Called Out to His Mama” is a reference to George Floyd dying with a policeman's knee on his neck, cutting off either his air or his carotid artery, blood supply to his brain or both, killing him. So mamas have responded. They said: Let's go join the protesters as well. Surely this is not the case, that they are attacking peaceful protesters.

They formed a group who went down, and they did things like dancing and chanting and handing out flowers, like this woman here. Isn't she beautiful? She is coming down, holding a sunflower. Others were holding mums.

It is unimaginable that a President of the United States would send Federal troops to attack women like this, holding peaceful flowers and dancing and singing in the streets. But they were scared because they knew that peaceful protesters had been attacked previously, so some of them wore goggles, and some of them wore bike helmets.

But let's hear from the women in their own words. Two of these women work on my team. I didn't know they were going to go down. I didn't know until last night that they had gone down the previous night, that they had been there. They had experiences, and they chose to share their experiences. I have maybe another five or six things that women wrote up about their experiences and posted them. I will try to share those, reading it in their voice.

The first one is from Stacey Jochimsen:

I joined the Wall of Moms in Portland on Tuesday night to support black and brown Americans and voice my concerns about police violence in our city. I showed up in cut off shorts and a yellow shirt—the identifier for the Portland Wall of Moms—I was wearing sneakers and carrying yellow mums and sunflowers that other moms had gifted me on my way in.

We participated in hours of dancing, chanting, and singing. It was a beautiful protest on a warm Oregon night. I saw no violence, I felt safe. We were demanding change. We were standing up for our black and brown brothers and sisters; we were there to amplify their voices. Was there graffiti? Sure there was. Graffiti is not violence.

At around 11 p.m., the Wall of Moms was called to the front of the federal courthouse. We went. We stood—arms linked—facing the building, creating a wall of protection between protesters and the building. We were moms called to use our privilege to keep others safe, and we tried.

While we stood, arms linked, officers in fatigues and gas masks (we assume were federal, they were unidentified) rushed from the building and from behind us. There was no warning. They took a woman to the ground and hog-tied her on the steps of the Courthouse. They swiped at cell phones and yelled at us from behind gas masks. They pointed weapons at us. Us. We were non-violent, peaceful demonstrators. We were moms in Converse sneakers holding flowers. I am still trembling at the sight of their weapons pointed at us. I have never felt so threatened and unsafe as I did at that moment. I had the realization that these officers really are not here to protect, they are here to harm. Were we going to be shot? Would I be struck in the

head by a canister? Am I going to make it home to my children?

We held our line as they threw flashbangs and shot tear gas canisters at us. I was peaceful, I was standing still and holding hands with women around me—surely they would not shoot at me. I could feel the women on both sides of me trembling. The officers pointed their weapons at us. I put my hands in the air and begged them not to hurt us. They shot more tear gas. The tear gas overwhelmed us—the pain was unimaginable. It burned my eyes, my throat, my skin. I did not bring goggles or a helmet to this protest. I wore a tank top and shorts. Why would I need a helmet and goggles at a peaceful protest?

I coughed to the point of vomiting. We ran. Fellow protesters came to us with water bottles and helped clean our eyes. Another brought wipes to clean our skin. We coughed, we vomited, and we cried.

Today, I am still shaking. I cannot focus. I am scared. I am jumping at loud noises. My heart is racing simply recalling the events of last night. I am worried about what the federal officers are going to do to my fellow Oregonians tonight.

Let me be clear: there was violence on Tuesday night, but none of it was from protesters. The only violence I encountered that night was from federal police officers.

I am grateful that I made it home to my kids last night. Others were not so fortunate.

Thank you, Stacey, for sharing your firsthand account of the night before last—Tuesday night—on the streets of Portland, when Federal officers attacked peaceful demonstrators, where there was no violence except the violence of the officers on the protesters.

This next recounting is from Amy Bacher.

She writes:

Pre-protest normalcy. There are people hanging out in a downtown park by the Justice Center. They are wearing masks, playing music, and, thanks to Riot Ribs, eating free food. The Wall of Moms gathers a short distance from there, where they hand out sunflowers and yellow carnations. Protective gear is also distributed, like helmets, due to issues with the Federal police firing ammunition. Medics hand out water and other safety gear to everyone to try to keep protesters safe.

Usually, about a few hours into the protests, the secret police come out. It is unclear who they are now because there are no markings for what unit—who they are with—and they fire at the protesters. When it was the Portland Police Bureau, they were allowed to have their badges covered.

My experience yesterday included the following: About 2,000 people gathered, chanted, gave speeches, and danced in the blocks in front of the Justice Center and Federal Building in the name of Black Lives Matter. People were serious about wearing masks. A small, white plane circled the protest area repeatedly. It appeared to be the same or similar aircraft of the plane that circled earlier protests around Revolution Hall. There were a few protesters trying to block a door of the Federal Building and post graffiti. One of the chants we shouted in front of the Federal Building was, “Tell me what democracy looks like.” Then “this is what democracy looks like.” We were all using our voices.

The next moment, though, about 15 to 20 large men in camouflage and military gear appeared like they were ready for war. They had no name tags or identifiers. We had no idea if they were soldiers, what branch they were from, or why they were there. Almost all of them were holding pepper spray guns

and looked like they had customized side-arms. They stood under the eaves of the Federal Building. The Wall of Moms were there in yellow T-shirts, stretch pants, and sneakers, basically. There was a long line—more than a block long—facing the Federal Building. We were trying to stand in front of all the other protesters who had already been gassed for some 50-plus days, thinking that Trump's military would not fire on moms. We were wrong. There was no ask by officers in front of us to step back, move, or do anything at all. The officers started kicking tear gas directly at us, shoving a nearby mom in the neck, and pepper-spraying another mom in the face at close range.

I had not been tear-gassed before and can't believe that it's allowed, especially with such frequency. It produces violent and immediate bodily reactions and should not be used on peaceful protesters. There is a near-immediate reaction. You can't see without pain of blinking. It feels like you are inhaling fire into your lungs and like your skin is being burned. My lungs are still burning 24 hours later. These are weapons of war that should not be used on Portlanders exercising their constitutional right to freedom of assembly. If, after 54 days, officers are still using these weapons of war and it is not working, we should be asking why—why they are still deemed effective or legal. Just before the first tear gas was thrown, three to four of the other officers tackled a woman to the ground and hog-tied her. We didn't see where she was taken. At least four women were arrested from that group.

Then she gives a reference to the story on the web and how to find it. She also notes that Federal agents pepper-sprayed the first aid tent, which could be a crime when done in war.

Federal agents went by the Riot Ribs free food cart in the park and pepper-sprayed the food and the grilles.

That is where she ends her commentary.

Thank you very much, Amy, for sharing your story of what happened the night before last.

I hope that all of America is recognizing that what we would never conceive of happening in America is happening—Federal agents, Federal officers, being deployed to attack peaceful protests. As these two women point out, there was graffiti, but it was not violent.

From one of the other letters I am about to read, I note:

There were young folks pounding on the plywood that covers the doors of the Federal Building, but that, too, wasn't violent. The only violence came from the Federal officers.

This next story was posted by Krista. She writes:

So the nonviolent Wall of Moms just got gassed for absolutely no reason.

Then she puts in the tags "PDX protest" and "Black Lives Matter."

I don't need cookies for being there. Please. I have the privilege of taking the night off to let my lungs rest. Black and Brown people don't get to change their skin color to take a break from systemic and personal racism. Also, Black women have been on the frontlines for decades. The Wall of Moms is getting a lot of attention, but we are not the story. Abolishing racist systems and ending police brutality against people of color is the real story.

If you want to get involved but aren't able to go downtown, please consider making a donation to "Don't Shoot Portland."

Honestly, the leaf blowers helped so much on Monday. I was wishing that the dads would come out in force again Tuesday because the moms got gassed bad. It was brutal. I am still coughing and burning 4 hours later.

Come on, dads. Until we have meaningful change, the protests will continue. Don't give up yet.

Krista makes a point that I want to accentuate time and again: Black Americans have been protesting, putting their lives at risk night after night—all kinds of protesters coming together and all kinds of skin color coming together in order to say Black lives matter and that we have to end systemic racism.

My colleague is here to speak.

Madam President, I ask unanimous consent to reserve the balance of my time.

The PRESIDING OFFICER (Mrs. FISCHER). Without objection, it is so ordered.

The Senator from Connecticut.

Mr. BLUMENTHAL. Madam President, I thank my colleague from Oregon for his eloquence and for the power of his remarks. He speaks not only for Oregon but for America. He speaks for every one of our communities and States that ought to fear this overreach. It was, indeed, one of the main fears of our Founding Fathers that the misuse and abuse of our military and policing power—of violating fundamental rights—would encroach on our basic liberties.

Now, let's be very real. Federal forces were used before to restore order in the face of violence after the Rodney King incident, after the killing of Martin Luther King in 1968, in Little Rock in 1957, in Oxford, MS, in 1962, and in going further back in our history, after the Pullman Strike and after the Detroit race riots in 1943, but this time is different. This time is fundamentally different.

As my colleague has so powerfully described from the descriptions and the photographs that he has brought to the Senate floor, what we have here is not some violent encroachment by one group against another and not just some use of violence. We have peaceful protests. In fact, the purpose and effect of the use of Federal forces here has been to incite and fuel violence. It was the same purpose that Richard Nixon sought to use Federal force when protesters against the Vietnam war came to Washington. It was Richard Nixon who said that law and order was the political issue of his day, but the use of Federal forces here is not to restore order or to enforce the law. It is, instead, to incite lawbreaking and violence.

What is different also is the use of unidentified, military-like forces. We have seen a growth over the past years in the form of such forces that are available to the President to use. The Customs and Border Patrol, the Department of Transportation, and other agencies have militarized Federal law enforcement agents. They have put

them in camouflage, and they have given them armaments. They have taught them tactics that, in effect, turn them into military-style forces. They have become secret police when they are unidentified. They are like the little, green men in Russia who show up at demonstrations and throw people into vans to disappear them. That is what they have been doing in Oregon. So whereas before the National Guard might have been called out as a show of force to restore order, now we have a perniciously different use of military force in the name of law enforcement.

I will say, as someone whose career as a U.S. attorney and then as an attorney general for 20 years was involved in law enforcement, I am ashamed and embarrassed to use, in effect, secret police in this way, supposedly in the name of law enforcement but, in reality, as a political tool. If you have any doubt about the political purposes here, just watch the latest Trump ads, which are the other side of this coin—raising fear, exhorting people to panic, and then responding on the streets in communities with this excessive use of force.

Exactly what our Founding Fathers feared was this unchecked use of military power. That is why the bill that my colleague from Oregon has introduced and that I have cosponsored is so very important, because there must be a check. Accountability is vital. Identification is key. People need to know who these people of law enforcement supposedly are, and we need accountability from them.

We also need accountability through the Insurrection Act. In having been joined by many of my colleagues, I have offered a bill, the CIVIL Act, that would apply these same checks on the President's power as apply when the President uses military abroad. He must be accountable to Congress. He must come to Congress and explain the purposes and the reasons for his use of military power. He should have no more leeway when he uses troops abroad than he would at home and vice versa. If he uses American troops against American citizens, he ought to be accountable no less than when he uses them abroad. The same is true of this policing power.

The importance of this moment cannot be underestimated. It is a moment of reckoning for racial justice, but for justice in our entire country. I believe that we must act on both sides of the aisle. We have an obligation to assure that this power is checked, because those police forces are coming to your city and your community—to Albuquerque, to Chicago, and, potentially, to Hartford, Stamford, and New Haven, CT, without the permission or invitation of our local officials.

Again, it is a fundamental difference between many past uses of political power and this one. And it may be rationalized or disguised as an effort to combat violence in the streets, but we know the purpose and intent and effect of the use of these policing forces.

So whether they are the Department of Justice or Homeland Security or Department of Transportation or the Secret Service, the goal is the same—to intimidate and incite, not to restore order.

The shame and disgrace to this Nation is palpable. When our allies, when people abroad look to the United States, they see us as an exception to the rule of force unchecked by the rule of law. Too often, force, not law, applies to subjugate rights. We are an exceptional nation because we believe in the rule of law, but what we are seeing right now is a corruption of the rule of law, in fact, using the disguise and misusing the name of law and order to push forward an agenda of hatred and bias and subjugation of basic rights. It is a shameful and tragic time for America.

My hope is Americans will rise up, that they will object with their voices and, ultimately, with their votes.

I yield the floor back to my colleague from Oregon.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Madam President, I thank my colleague from Connecticut for bringing his experience in the legal world to bear on this extraordinary development of secret police being deployed on the streets of America.

As we heard from the President, he wants to expand this model. It was first in DC. Then it was Portland. Now he is talking about Philadelphia and Baltimore, Chicago and Detroit, Oakland. In other words, all across America, as the President says, where there happens to be Democratic mayors, he wants to go create that same mayhem.

Thank you for bringing your expertise to bear on this.

I had just read the story from Krista about the moms and the protesters all getting, as she put, it "GASSED BAD." She said, "It was brutal. . . coughing and burning 4 hours later." Then she closes with, "C'mon dads . . . we have [to have] meaningful change. Don't give up. . . ."

I was thinking about what I am describing, as I read these stories, or what these women are describing is the transition from this setting, where women are dancing; they are holding flowers; they are singing; they are chanting; they are eating ribs; and what unfolded a few moments later. And what unfolded?

Two of these stories, so far, have described the sudden appearance of large men in camouflage, armed with sidearms, who shortly started to shoot them, gas them, spray them, throw flashbang grenades, tackle them—in one case, hogtie a woman who was a few feet away.

And you can see how terrifying—these are men dressed for war against women dancing and holding flowers. This is beyond wrong. This is inconceivable. These unmarked, no agency, no unique identifier secret police—what my colleague just referred to like

the little green men in Russia, coming to sweep people off the streets and throw them into unmarked vans.

These pictures, I understand, are from 2 nights ago, and people were describing to me how batons were brought down—one on the neck of a woman—how they were thrown to the ground. This is showing maybe some of that right there. I can't imagine how terrified this woman was.

Think about this: Within this week where we are recognizing John Lewis passing away—here is John Lewis on the Edmund Pettus Bridge being beaten by so-called public safety officers; I think they were Alabama police, but I am not sure who they were; they have badges; at least they weren't secret police—and this scene from 2 nights ago in Portland, these women being assaulted by these men ready for war with every armament you can think about, including impact projectiles; that is, rubber bullets and gas and flashbang grenades and batons, assaulting these women dressed in yellow T-shirts.

I want to stress, as this last letter did, that for weeks and weeks and weeks before there was a "wall of moms," protesters of every race were coming down to say we must reform systemic racism in America, and they, too, were peacefully protesting, and they, too, were standing, often with arms linked.

The outrage over the Federal troops being deployed with these secret police tactics has swelled the numbers, including this most recent protest, but let's not think for a moment there haven't been people of great courage week after week, many of them organized and led by the Black population and Black leaders of Portland.

How is it possible—Edmund Pettus Bridge, where a little over a year ago I was standing with my daughter and John Lewis, remembering what happened back when, when out-of-control leaders sent well-armed men to brutally assault peaceful protesters, and now, once again, we have out-of-control men, the President of the United States, sending well-armed men to brutally beat peaceful protesters. How is this conceivable?

Protesters of all kinds have been working hard to basically say let's have public safety that works for all. But what is the President doing? While he is sending these forces to brutally beat peaceful protesters, he is running campaign ads, and here it is: "You won't be safe in Joe Biden's America. Paid for by Donald J. Trump for President."

He is deliberately assaulting peaceful protesters in order to run campaign commercials that say he is a strong man who can reduce violence in America.

Let us all beware how twisted this is, how evil this is, how wrong this is, how much of an assault on the civil liberties of Americans this is, and how much we have a responsibility, having

taken an oath to the Constitution, to put an end to it, which is why I am down here for the third day in a row saying: Let's insist that Federal officers be identified by whom they represent, the agency. Let's insist Federal officers have a unique identifier. Let's insist that if their mission is to protect a Federal building, they are on the perimeter of the Federal building, not sweeping through the streets of Portland, throwing people into unmarked vans.

That is my amendment. That is the amendment I am asking to be considered on this floor. Isn't it our responsibility to debate when egregious things happen in America, like a strongman, authoritarian President trampling on the Constitution by assaulting peaceful protesters with Federal forces? Isn't it our responsibility to debate it and vote on whether secret police are allowed in the United States of America?

I have been reading these letters from the women who were down there. I will read one or two more, and then I am going to yield to my colleague from Oregon.

As the two Senators from Oregon, we have heard from hundreds of people who have been protesting peacefully over these weeks and how hard local leaders have worked to deescalate, and how Trump, sending in these Federal forces to beat protesters—peaceful protesters—has completely escalated the situation, rather than deescalating it, all so Donald Trump can run a campaign commercial and try to persuade you he should be President.

This story recounting is written by Joy, and she was down there with Krista, so she starts out:

I don't know how my friend, Krista, managed to take a picture during the madness of this moment. I could not see anything and was struggling to breathe through the mass of foamy snot provoked by teargas that filled my mask.

And she had posted a picture that Krista had taken of her right after she had been gassed. I don't think I have the—do I have the picture? I might have. Let me see if we can—no. If I find it, I will put it up.

Getting gassed was painful and scary, yet still I felt secure and cared for by the several helpers that aided us with water and saline eye washes. Several people checked in to see if we were ok and help. That is the beautiful part of this otherwise unpleasant image. This is me on my knees, being helped by strangers. The ugly part of this moment is what happened before this . . . the moment when federal agents blasted us with teargas and rubber bullets despite ZERO provocation from our line of moms . . . we were simply standing side by side with linked arms. That's it. For no apparent reason they shot at a bunch of moms without giving a single warning. Nope, no warning. No request to move. They just blasted away at us like they were playing a video game.

I yield to my colleague from Oregon and reserve the balance of my time.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Madam President, I want to thank my colleague for putting a human face—the face of Oregonians—on this Federal invasion of our State.

And I want to talk just for a moment and ask my colleague a question because, yesterday, here in Washington, as our constituents were finding this horrific invasion of their constitutional rights—the moms and others, when they were peacefully protesting—what we saw in the Senate Intelligence Committee, I say to Senator MERKLEY, was an example of just how disconnected the Trump administration is from reality as they try to find these figleaves to cover up for their violation of the constitutional rights of our citizens.

We had a nominee for a top legal position in the Trump administration—a top position, legal position, that is greatly going to affect the constitutional rights of the people we are honored to represent—the rights that are now being violated, as we have said repeatedly here on the floor.

The nominee's name was Patrick Hovakimian, and I asked him a couple of basic questions, questions that our constituents are asking.

I asked him: Do you believe that Federal forces can patrol American cities over the objections of State and local officials and away from Federal buildings?

That is something you and I get asked all the time by our constituents.

Then I also asked him: Do you believe that unidentified Federal forces in unmarked cars can drive around seizing and detaining American citizens?

This is also something we are very familiar with. I pointed out American troops, our soldiers who so courageously fight the terrorists, wear their identification. Again, he just ducked and bobbed and weaved. At one point—and then he repeated it—he said: Senator, just give my best wishes to the people of Portland.

I asked again for a responsive answer, and he wished us best wishes again for these people who are getting gassed, like Sharon Meieran—whom the Senator and I talked about, a personal friend of our family, an emergency room doctor—getting hit with a tear gas canister—“sending best wishes” to the people you and I represent.

So it seems to me—and I would be interested in the Senator's thoughts because he has spent a lot of time thinking through where this is headed because we in Oregon were kind of the test tube. We were the people who were going to be first. The President has said that he is going on to other cities.

Both of us share a great interest in healthcare. I sure as hell wish that he would attack the coronavirus with half of the intensity with which he has attacked our cities. We are going to talk some more about that.

Let me get the Senator's reaction to what I think is the central question,

and I really pondered this as we were listening to these nonanswers yesterday by a top Trump official. By the way, he is in a top position now in the Justice Department responsible for knowing about these legal issues that reflect the violations of the constitutional rights of our constituents, and then he gets a bigger job, a bigger role in these issues. I thought to myself, it seems to me, without drawing a line in the sand, America may be looking down the barrel of martial law in the middle of a Presidential election. I would be interested in the thoughts my colleague because I have been amazed at the number of Senators who have come up and said: You know, RON, that really seems to be what it has come down to.

My colleague is a student of history and has brought so much specific documentation, such as the cases he has been spelling out. I would be interested in my colleague's assessment of where he thinks this is going.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. I thank the Senator for asking for my thoughts on this.

Just before he spoke, I had described the story of Joy, who talked about the hit that her friend Krista had taken during this chaos after she had been gassed. I did check, and here is the picture of her. You can see her whole face is inflamed. There are so many people who can't see. They are dazed, and their lungs are on fire, and Patrick Hovakimian is sending best wishes to the people of Oregon.

It reminds me of a cartoon I saw when I was young in which Lucy goes out after it is observed how cold Snoopy is, out shivering on top of his doghouse during a snowstorm, and Lucy goes out and says “Hope you stay warm,” and goes back into her house. Yeah—“Best wishes, but I am not doing a thing to help you out.”

I would love for Mr. Hovakimian to say: I will come and stand there. I will see what is really going on, and if peaceful protesters are being attacked, that is simply unacceptable, and as a leader I will take it to President Trump and tell President Trump that we don't do secret police in America. We don't sweep people into vans, and if you really want me to take this position, that is what I am going to change the policy to because that is what you do in a republic. We are not a dictatorship.

That is what I would like to hear him say in response to your question to him.

You asked about martial law. Secret police operating as rogue operators outside the framework of law, outside of the cooperation of the Governor or the mayor sound like the equivalent of martial law to me.

Mr. WYDEN. Madam President, how much additional time does my colleague have?

The PRESIDING OFFICER. The junior Senator from Oregon has 26 minutes postcloture.

The Senator from Oregon.

Mr. MERKLEY. Madam President, I thank my colleague from Oregon for his intense representation of these legal issues and the role of the Intelligence Committee, noting that this has all the trappings of a President bent on the equivalent of martial law, operating in this rogue fashion, shredding the constitutional rights of people, sending Federal officers to attack peaceful protesters.

I was reading the stories of women who were down at the protests the night before last. The next one is from Stephanie.

She says:

I went downtown again last night to peacefully protest. To use my voice and my 1st Amendment rights. To feel safe—repeat: TO FEEL SAFE—against these anonymous federal agents. I wore:

- A bike helmet
- Goggles
- A double mask
- Ear plugs

And I was still terrified. The #WallofMoms stood locked, arm in arm, right up against the fence line at the federal courthouse. We stood between these federal agents dressed in war gear and unarmed protesters shouting behind us. Sweat poured down my back. The Moms stood for hours. On my bike ride home I texted [an individual] Geoff [not me] each time I stopped and called Amy . . . to have a “buddy” on the phone with me. Every time I heard a car, my heart skipped a beat. Is it a crew of federal kidnapers, ready to throw me into a van? This administration has been chipping away at our rights since day 1, but this past week in Portland has been an acceleration. Wake up, especially those supporting them. We are in a crisis of great magnitude and we are about to lose control.

Candace Jimenez, member of the Confederated Tribes of Warm Springs, said she came out to protest after the deployment of Federal agents, and said:

We have been dealing with that for 500 years. We understand the trauma, the terrorism, and the harm it causes.

Bev writes:

In less than eight hours, a group of moms helped me put together this #WallofMoms.

We tried in earnest to give the kids a break by shifting the pervasive narrative that protesters are rioters.

Case and point, we wore our whitest whites to show we weren't there to make trouble, we showed up to prove that the feds are the violent ones. . . . And we were right. Kids took down fences and did some skateboarding, two or three kids [banged] on walls, but the other people were peaceful.

I want to tell you that I didn't vomit or pee my pants after being gassed, but I did. I guess I lost control . . . and soon after I couldn't open my eyes.

To be clear, we moms weren't armed, [we weren't] throwing rocks, [we weren't] throwing water. That didn't happen.

We were gassed for chanting “Leave the kids alone.”

I want you to think about what's happening in this country and ask yourself how you're going to help change it.

Heather was down at the protests, and I don't have her picture, her larger picture, but I can tell you that she posted a picture. She is very pregnant. How gutsy I think that is that she was there, even as she is about to give birth.

She writes:

I am . . . 9mo pregnant . . . and I stood between the police and the rest of the protesters last night with about 40 other moms. My unborn baby is the topic of many Twitter debates right now and symbolizes a thousand year old debate among those who want to stifle women's freedom. Right now I have even more power than usual and I am here to use it.

I am SAFE. Thanks everybody for your concern. But we are NOT OK.

Until all women can carry a pregnancy to term . . . and birth without worrying about unnecessary trauma and death we are not OK.

I show up for all of the pregnant women who have lost their babies or their lives at the hands of racist and sexist systems and people. I show up for the women who have had a hard time getting pregnant because of the everyday stress caused by racism. I march for all of the Black mothers who rightfully agonize about their children's safety outside of their homes. I march for anyone who has been injured physically or mentally by police brutality, citizen brutality, systemic inequity, intergenerational trauma and poverty. I march for the White people finally waking up—see me and get [me], get out, pay up, and listen! I march for all of us because this is a problem for ALL of us. When you say ALL lives matter take into account what you are doing in your life to improve the world for ALL people. . . . Are you worried about my unborn child? (please answer these questions in your hearts.) Get the hell out there and stand up for a better world for my baby and his generation.

Madam President, I reserve the balance of my time and yield to my colleague from Oregon.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Parliamentary inquiry, how much time does my colleague have on his hour remaining?

The PRESIDING OFFICER. The junior Senator from Oregon has 20 minutes.

Mr. WYDEN. Thank you, I will take a few, and we are very pleased that our colleague from Illinois is here and has been a very significant ally in this.

Senator MERKLEY, one of the reasons I so appreciate your taking this time is that it reminds me a bit of what Jews faced in the 1930s.

My family fled the Nazis in the 1930s. Not all of our family got out. My father's great-uncle Max was one of the last gassed in Theresienstadt, and Jewish families saw that a democratically elected government can transform into a murderous regime before the eyes of its citizens very quickly. There isn't any bright line when it happens, no cinematic moment where everything changes—just a moment, as we talked about earlier, in which bureaucrats and lawyers and police begin to follow the bidding of their leader while perverting the rules of their Republic.

This was not a singular event. From Europe to Asia to the Americas, democratically elected governments were undermined and replaced by authoritarian regimes—often while retaining the trappings of a democracy. Bureaucrats claimed they were just following rules, soldiers and police—just following orders. Then they just wished us best wishes.

Rarely did these leaders start with majority support, but terror, combined with the abuse of the elections process—which we are also very concerned about—allows them to claim power from the ballot box.

It seems to me you are laying out that it is our sacred duty to learn from this history, to bring this history to the floor and, as I tried to say with respect to the threat of martial law, to draw a bright line when a government, instituted to protect liberty, is being used to attack liberty. We shouldn't, we cannot, and we can't wait until we have a gun at our back to raise the alarm.

The government isn't going to defend itself. The same Attorney General that has taken an oath to defend the Constitution will sit idly by while citizens are detained without charge and violently assaulted by the government. The same police officer charged with defending our citizens will commit those assaults if that is what they are directed to do.

If the Executive and any government served by the bureaucracy will take all the power they can unless a brave judiciary and a strong legislature step up and, as you have outlined here on this floor, say: "No more."

This Congress has been way too pliant in yielding, and it has emboldened the executive branch, led by Donald Trump, to ignore the constraints that have traditionally protected our liberty.

So my question is—it seems to me you are standing up for these kinds of core values of freedoms that are what we stand for as Americans and that this has been the beacon all around the world for over a century. I believe what you are saying—and I think it would be helpful for you to put it in your own words—what you are saying is that we have to be out here working on your legislation and working on these key kinds of measures because without this effort, there is a real danger, on our watch, that the light of liberty will fade away? And it seems to me what you are saying is that we are better than this.

I would like your reaction to that because I think if you look at the march of history, which in the Wyden household is very, very personal—to have lost family to Hitler's murderous regime. I would like to hear your thoughts about this kind of challenge we face and how important the work in front of us is to make sure that light of liberty doesn't fade away.

Mr. MERKLEY. Madam President.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Madam President, my colleague described how his family was affected by fascism in Germany and how his family members died for fascism—attacking them, imprisoning them in concentration camps, and putting them to death. Don't we all believe that every German citizen should have stood up to that fascism and said:

Not here; not by our government; not by our people.

That is exactly why we are on the floor right now to say: Secret police—not here, not by our government, and not allowed in our Republic. Sweeping people off the street into unmarked vans—not allowed, not here, not our government, and we will put an end to it. Gassing, assaulting, and batoning peaceful protesters on the streets of our city—not here, not allowed, and we will put an end to it.

I yield to my colleague, who I believe wishes to speak.

Mr. DURBIN. Madam President.

The PRESIDING OFFICER. The assistant Democratic leader.

Mr. DURBIN. Madam President, I would like to direct a question to the junior Senator from Oregon through the Chair.

I thank both my colleagues from Oregon. I especially thank my colleague Senator MERKLEY, who contacted me last weekend when the situation was unfolding in Portland and talked to me about his reaction to it and what he was hearing from the people of the State he represents.

Of course, there was genuine concern in the city of Chicago, which I am honored to represent, because this President in the White House had been taking swipes at that city for years now, and we fully anticipated that the atrocity that was occurring in Portland could occur in Chicago as well.

I just want to say to the Senator from Oregon: Thank you for your leadership on this. Thank you for bringing this issue to the floor and to the floor of the Senate.

This is an issue we should be voting on. We should have voted on it this week. There was no excuse for it. We have risen to the occasion before when a historic occurrence brings to our attention that the Senate should speak and express itself. We should have done it this week on the issue that you brought, and I hope we can resort to this issue quickly—if not today, as quickly as possible afterward.

I am a cosponsor of the legislation the Senator is offering, and it is basic. It is fundamental. As I recall, and I will ask the Senator from Oregon, what you are asking for is, if the Federal Government is going to send out the so-called law enforcement protective forces and such, that they identify themselves and that they not come into a community anonymously, without any indication of who they are.

I am reminded of the Russian invasion of Ukraine—eastern portions of Ukraine, the Donetsk region—and Vladimir Putin was very careful that his invaders not wear Russian uniforms. They were known as little green men. We have a comparable situation here where the Federal forces are not identifying the agencies they represent but coming to the streets of Portland in camouflage.

The Senator from Oregon, I would like you to please, if you would, respond. Has this not been the case? Has this been documented?

Mr. MERKLEY. To my colleague from Illinois, that is exactly right, as seen in this picture and the testimony of all those who are present.

Mark Morgan, the Customs and Border Protection Commissioner, said that is not the case, and he said: "Our personnel are clearly marked as federal [law enforcement officers] & have unique identifiers." They were not. They are operating, as you say, like little green men, secret police.

Mr. DURBIN. I would like to ask another question through the Chair to the Senator from Oregon.

Is it not also true that many of these Federal agencies have defined responsibilities and defined areas of jurisdiction? For example, in the city of Chicago, as probably is the case in Portland, OR, there is a Federal protective service that has a specific building and facility and personnel in that facility that they are responsible for. Is that not the case in Oregon?

Mr. MERKLEY. That is the case.

Mr. DURBIN. And in this situation, have these Federal agents of some different agency or whatever extended their reach of jurisdiction beyond that Federal protective facility?

Mr. MERKLEY. They have.

Mr. DURBIN. How far?

Mr. MERKLEY. Well, they have been present in the streets. I don't know just how many blocks from the Federal building but certainly not just in the perimeter of the Federal property. They have swept through streets. They have vans that have gone through the streets. They have grabbed protesters and thrown them into vans. So they have departed significantly from, if you will, the mission of defending the Federal building.

Mr. DURBIN. Directing another question to the Senator through the Chair.

What has been the coordination of this Federal activity with local and State law enforcement in Portland, OR?

Mr. MERKLEY. Madam President, I request unanimous consent that our dialogue be credited to my colleague's 1 hour because I am afraid my minutes will run out.

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

Mr. MERKLEY. You asked about coordination. My understanding is that there was not an invitation from the mayor to come, and there was not a conversation with the Governor. There certainly was no conversation with Senator WYDEN and me and the other members of the delegation. The Portland police have indicated that they have not worked in cooperation with these Federal forces. They may have been engaged in what they call deconfliction, and I don't know the full extent of that.

Mr. DURBIN. Well, I don't know if I am on my own time at this moment or—

The PRESIDING OFFICER. You are.

Mr. DURBIN. Fine. So I will still continue, without objection, with col-

loquy between myself and the junior Senator from Oregon.

Let me say to the Senator that we were concerned at the beginning of this week, because of your experience, with what might happen in the city of Chicago. Senator DUCKWORTH and I sent a letter to the President of the United States expressing that concern.

I ask unanimous consent that the letter dated July 21, 2020, to President Trump, along with the press release dated July 22, 2020, describing its contents, be printed in the RECORD.

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

U.S. SENATE,  
Washington, DC, July 21, 2020.

President DONALD J. TRUMP,  
The White House,  
Washington, DC.

DEAR PRESIDENT TRUMP: You have indicated that you may send additional federal agents to the City of Chicago to conduct policing activities that traditionally are handled by local law enforcement. We strongly urge you to refrain from taking this action, which is opposed by Governor Pritzker, Mayor Lightfoot and other local leaders. This week, we introduced legislation with other Senate Democrats to prevent you from overriding local authorities in this manner.

Any involvement by federal law enforcement in community policing activity must be conducted in coordination with, and with the approval of, local officials. In this time of heightened tension, we cannot have federal law enforcement operating at cross-purposes with local leaders.

In recent days, your Administration has deployed federal law enforcement agents in the streets of Portland, Oregon, without any visible identifying information. These federal agents have reportedly used excessive force against peaceful protesters and detained residents in unmarked vehicles. Such conduct is unacceptable anywhere in the United States and must not happen in the Chicagoland area.

On February 10, 2017, we sent you a letter suggesting a range of ways in which the federal government could play a helpful and supportive role in reducing violence in Chicago. We noted that "[p]ublic safety is primarily a local responsibility, but the federal government must be an engaged partner in public safety efforts alongside local officials, law enforcement, and community stakeholders." We recommended that your Administration take steps to assist local violence prevention efforts, including:

Enhancing Department of Justice (DOJ) programs that improve community policing;

Directing DOJ to promote mentoring and job training programs for youth and formerly incarcerated individuals;

Improving mentoring and violence prevention initiatives and boosting funding for recidivism reduction programs;

Directing DOJ to abide by its commitment to help implement policing reforms recommended by the Department's Civil Rights Division;

Closing gaps in the FBI gun background check system and in federal firearm laws that enable straw purchasers and gun traffickers to flood Chicago's streets with illicit guns;

Prioritizing career and youth training programs to address lack of economic opportunity in neighborhoods hit hard by violence; and

Redirecting resources that you are devoting to construction of your border wall and

committing those resources instead to the efforts discussed above.

It has been more than three years since then, and you have not replied to our letter nor followed through with our suggestions. We reiterate that these steps would be more effective in reducing violence in Chicago than replicating the destabilizing role that you have directed federal law enforcement to play in Portland.

With the right leadership, federal law enforcement can serve as valuable partners in supporting local efforts and helping reduce violence in American communities, rather than contravening local efforts and exacerbating tensions. It's not too late for you to demonstrate such leadership.

Sincerely,

RICHARD J. DURBIN,  
U.S. Senator.  
TAMMY DUCKWORTH,  
U.S. Senator.

[Press Release, July 22, 2020]

DURBIN, DUCKWORTH STATEMENT ON EXPANSION OF DOJ OPERATION LEGEND TO CHICAGO  
THE EXPANSION OF OPERATION LEGEND WILL CONSIST OF AN INCREASED FEDERAL LAW ENFORCEMENT PRESENCE FROM FBI, DEA, ATF, U.S. MARSHALS, AND HSI, FOCUSED ON PROVIDING SUPPORT TO EXISTING VIOLENT CRIME TASK FORCES

WASHINGTON.—U.S. Senators Dick Durbin (D-IL) and Tammy Duckworth (D-IL) today released the following statement regarding the Department of Justice (DOJ) announcing an expansion of Operation Legend to Chicago, Illinois. Operation Legend is DOJ's violent crime reduction initiative with the stated goal to provide support and assistance to state and local law enforcement partners as they work to combat violent crime, and gun violence in particular. Durbin and Duckworth are set to speak with U.S. Attorney John Lausch about Operation Legend today.

"After needless threats from the President, we're relieved the Trump Administration says they plan to work with local officials and authorities in Chicago rather than undermine local law enforcement and endanger our civil rights, as their agents have done in Portland. We will continue closely monitoring the Administration's efforts to ensure they follow through with this commitment.

"More than three years ago, we sent President Trump a letter suggesting a range of ways in which the Federal Government could work in partnership with local officials to provide support and resources to assist in public safety, violence prevention, and economic development efforts in Chicago. While we are hopeful that today's announcement means the Administration has reconsidered and will take a more positive approach, President Trump still has not replied to our letter nor followed through with our suggestions. We reiterate that these steps would be more effective in reducing violence in Chicago than any effort the Administration may take to replicate the destabilizing role it played in Portland."

In their 2017 letter which they reiterated yesterday, Durbin and Duckworth recommended that the Trump Administration take steps to assist local violence prevention efforts, including:

Enhancing Department of Justice (DOJ) programs that improve community policing;

Directing DOJ to promote mentoring and job training programs for youth and formerly incarcerated individuals;

Improving mentoring and violence prevention initiatives and boosting funding for recidivism reduction programs;

Directing DOJ to abide by its commitment to help implement policing reforms recommended by the Department's Civil Rights Division;

Closing gaps in the FBI gun background check system and in federal firearm laws that enable straw purchasers and gun traffickers to flood Chicago's streets with illicit guns;

Prioritizing career and youth training programs to address lack of economic opportunity in neighborhoods hit hard by violence; and

Redirecting resources that are being devoted to construction of border wall and committing those resources instead to the efforts discussed above.

The expansion of Operation Legend will consist of an increased federal law enforcement presence in Albuquerque, New Mexico, and in Chicago, Illinois. This federal law enforcement presence will consist of experienced investigative agents from FBI, DEA, ATF, U.S. Marshals, and HSI, focused on providing support to existing violent crime task forces.

Mr. DURBIN. Madam President, I would say to the Senator from Oregon that the Department of Justice made an announcement yesterday that they were, in fact, sending, I assume, a number of Federal agents—150—into Chicago in pursuit of an operation known as Operation Legend. This is an operation which began July 8, 2020, by the Federal Government starting in Kansas City because of the death of a 4-year-old young man, Legend Taliferro, shot and killed in the early morning hours in Kansas City on June 29.

I received a phone call this morning from John Lausch, the U.S. attorney for the Northern District of Illinois, a man whom I was instrumental in selecting and supporting and still do support to this day—his professional activities—who gave me his personal assurance that what happened in Oregon was not going to happen in Chicago; that this Operation Legend, as he described it to me, was in coordination with State and local law enforcement in the city of Chicago, the State of Illinois, to make certain that their activities were coordinated and known in advance and that they were focusing on gun violence and drug trafficking in the city of Chicago.

I have also been alerted by Mayor Lori Lightfoot that she has received the same assurances and briefing, as well as Governor J.B. Pritzker of Illinois.

So our circumstances are different from the ones that Portland faced. I will tell you that we are going to hold Mr. Lausch and the Department of Justice and all others to their word that we will not see in Chicago anything like we witnessed in the streets of Portland, OR.

I just want to say in closing to the Senator from Oregon: Thank you for bringing this to our attention because when we were alerted—the Governor, the mayor of Chicago—Senator DUCKWORTH and I both jumped on this immediately and contacted the Trump administration for clarity about what was going to happen in Chicago. We have been given these assurances.

I ask unanimous consent that the lengthy press release, which describes the activities that are going to take

place, again, with the knowledge and coordination of local law enforcement, be printed in the RECORD at this point.

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

[Press Release, July 21, 2020]

DURBIN, DUCKWORTH CALL OUT PRESIDENT TRUMP ON REPORTS OF PLAN TO SEND SECRET POLICE TO CHICAGO

SENATORS INTRODUCE LEGISLATION TO BLOCK THE TRUMP ADMINISTRATION FROM DEPLOYING FEDERAL FORCES AS A SHADOWY PARAMILITARY AGAINST AMERICANS

WASHINGTON.—Following reports that President Donald Trump wants to send federal agents into cities, including Chicago, to conduct policing activities that are traditionally handled by local law enforcement, U.S. Senators Dick Durbin (D-IL) and Tammy Duckworth (D-IL) today sent a letter to President Trump calling on him to refrain from taking this action, which is opposed by Governor Pritzker, Mayor Lightfoot, and other local leaders.

“With the right leadership, federal law enforcement can serve as valuable partners in supporting local efforts and helping reduce violence in American communities, rather than contravening local efforts and exacerbating tensions. It's not too late for you to demonstrate such leadership,” Durbin and Duckworth wrote.

Yesterday, Durbin and Duckworth joined Senators Jeff Merkley (D-OR), Ron Wyden (D-OR), and 17 of their Senate colleagues to introduce the Preventing Authoritarian Policing Tactics on America's Streets Act, which was also introduced as an amendment to the National Defense Authorization Act. The bill would block the Trump Administration from deploying federal forces as a shadowy paramilitary against Americans. The legislation comes after a week in which heavily armed, unmarked federal forces in unmarked vehicles were filmed grabbing protesters off the street in Portland, Oregon.

In February 2017, Durbin and Duckworth sent a letter to President Trump suggesting a range of ways in which the federal government could work in partnership with local officials to provide support and resources to assist in public safety, violence prevention, and economic development efforts in Chicago.

Full text of today's letter is available here and below:

JULY 21, 2020.

DEAR PRESIDENT TRUMP: You have indicated that you may send additional federal agents to the City of Chicago to conduct policing activities that traditionally are handled by local law enforcement. We strongly urge you to refrain from taking this action, which is opposed by Governor Pritzker, Mayor Lightfoot and other local leaders. This week, we will introduce legislation with other Senate Democrats to prevent you from overriding local authorities in this manner.

Any involvement by federal law enforcement in community policing activity must be conducted in coordination with, and with the approval of, local officials. In this time of heightened tension, we cannot have federal law enforcement operating at cross-purposes with local leaders.

In recent days, your Administration has deployed federal law enforcement agents in the streets of Portland, Oregon, without any visible identifying information. These federal agents have reportedly used excessive force against peaceful protestors and detained residents in unmarked vehicles. Such conduct is unacceptable anywhere in the United States and must not happen in the Chicagoland area.

On February 10, 2017, we sent you a letter suggesting a range of ways in which the federal government could play a helpful and supportive role in reducing violence in Chicago. We noted that “[p]ublic safety is primarily a local responsibility, but the federal government must be an engaged partner in public safety efforts alongside local officials, law enforcement, and community stakeholders.” We recommended that your Administration take steps to assist local violence prevention efforts, including:

Enhancing Department of Justice (DOJ) programs that improve community policing;

Directing DOJ to promote mentoring and job training programs for youth and formerly incarcerated individuals;

Improving mentoring and violence prevention initiatives and boosting funding for recidivism reduction programs;

Directing DOJ to abide by its commitment to help implement policing reforms recommended by the Department's Civil Rights Division;

Closing gaps in the FBI gun background check system and in federal firearm laws that enable straw purchasers and gun traffickers to flood Chicago's streets with illicit guns;

Prioritizing career and youth training programs to address lack of economic opportunity in neighborhoods hit hard by violence; and

Redirecting resources that you are devoting to construction of your border wall and committing those resources instead to the efforts discussed above.

It has been more than three years since then, and you have not replied to our letter nor followed through with our suggestions. We reiterate that these steps would be more effective in reducing violence in Chicago than replicating the destabilizing role that you have directed federal law enforcement to play in Portland.

With the right leadership, federal law enforcement can serve as valuable partners in supporting local efforts and helping reduce violence in American communities, rather than contravening local efforts and exacerbating tensions. It's not too late for you to demonstrate such leadership.

Sincerely, \* \* \*

Mr. DURBIN. Madam President, what happened in Portland, OR, is unacceptable in the United States of America. We have heard the historical analogies from the senior Senator from Oregon where authoritarian central governments moved into an area and took control. We have seen the historic parallel in the eastern reaches of Ukraine, in Crimea. We know what it looks like because history has shown us. We don't want this occurring in the United States of America.

I am sorry for those who were injured and bear the scars of this Federal incursion in the city of Portland, OR. I stand with the junior Senator from Oregon. We will call and we will pass, I hope, on a bipartisan basis the reassertion of the basic principles of this country when it comes to the separation of powers and when it comes to the dignity which we ask in the streets of America under our Constitution.

I thank the junior Senator from Oregon.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Madam President, I thank my colleague so much for coming down to stand up for the people of

his home State and say that “secret police don’t belong in my State, in my city of Chicago, or anywhere in the United States” and that we should act on this floor to make sure that is not the case.

We must work and fight for the citizens all across this country. It would be the right thing for us to debate my simple amendment that says: ID, and you stay in the near vicinity of a Federal property, and you don’t engage in these attacks on peaceful protesters.

We should debate it. If people disagree with it, they should stand up and explain why. Maybe we can come to a common understanding. Do you know how rare it is for Senators to come down and actually have dialogue and debate? It just doesn’t happen. On something as important as this, shouldn’t every Member be here weighing in and considering it?

How much time do I have left?

The PRESIDING OFFICER. The junior Senator from Oregon has 18 minutes.

Mr. MERKLEY. I am going to read another story from a woman who was at the protest 2 nights ago. Her name is Tiffany. She says:

I was there. Let it be known that police fired on peaceful protesters. The Feds are here. This is really happening in #portland. . . . knowing the risks, in the middle of a pandemic, mothers of our city formed a chain to protect the peaceful protesters. We stood united with flowers, yellow shirts . . . and peace signs.

I thought I would put up again the picture of this protester with her flowers.

She continues:

Behind the safety of their fence, the police fired upon a small number of us with their “non-lethal” bullets. As a symbol, I used my baby’s blanket to attempt to shield myself. They therefore knew exactly what they were doing. They heard our peaceful calls and fired anyway.

When the fence fell, and the mothers continued to protest peacefully from the side, the police threw tear gas at us. We had to [scatter] into the streets, stumbling, trying to keep our masks on, trying to avoid more gas and cars.

When we attempted to regroup, the Feds had arrived. Some of us just trying to make our way to our cars, found our way blocked by federal agents in full combat gear.

Full combat gear.

They too fired gas at unarmed protesters, including myself. I yelled “You are in violation of the US Constitution. You are in violation of the Bill of Rights. I own my home in Portland, Oregon. I pay my taxes in Portland, Oregon. I have a right to walk on my own street without being assaulted by my government. I have a right to be here”. . . . They silenced us with more gas.

See the images for yourself.

When the government attempts to take your liberty, that is when it is appropriate to risk your life. Nonetheless, you will notice we took every precaution to stop the spread. Every single one of us wore a mask. We had people spraying hand sanitizer from spray bottles. But you know, once you got gassed, it is very hard not to spread water droplets. Gas makes your nose and eyes pour water like a faucet! Not necessarily nonlethal force when we are in the middle of a Pandemic.

I reserve the balance of my time, and yield to my colleague from Connecticut.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. MURPHY. Madam President, I appreciate the Senator breaking for a moment to allow me to just say a few words. I might pose a question to him, if he chooses to answer with the remaining part of his time.

I want to make sure that my remarks are counted toward my time, not Senator MERKLEY’s time.

The PRESIDING OFFICER. Correct.

Mr. MURPHY. Senator MERKLEY and I serve on the Foreign Relations Committee together, and what we have watched together, over the course of our time on that committee, is a reversal of what was called by some scholars “the end of history.” There was this idea that democracy was going to be triumphant in the world; that in the wake of the fall of the Soviet Union and the Berlin Wall, democracy—participatory, open democracies—and capitalist economies had, effectively, won the fight and that it was just a matter of time before the rest of the world was living in a system like ours that respects the rule of law and allows for those who want to protest their government to do so under the protection of law. And much of our outreach to the Communist Party in China during the 1980s and 1990s came under the presumption that even China would eventually fall under the crushing weight of an advancing democracy.

We now know that to not be true because we are at a moment in time in which we hear on the Foreign Relations Committee uninterrupted testimony of countries that we would have, even just a decade ago, accepted and named as a democracy, starting to slide away from the rule of law, away from the protection of speech into something else.

Now, you don’t go from a democracy into an autocracy overnight. So many of the countries we are concerned about are in that transition. We hope that an active United States, playing a role for democracy promotion in the world, can help pull them back. But it is a reminder—it is a reminder—that democracy in many ways is a very unnatural mechanism to control or run your life or society.

I always remind my constituents back home that there aren’t many other things in life that are really important that you run by democratic vote. You don’t run your business by democratic vote. Your kid’s sports team doesn’t run by democratic vote. I love my 8-year-old and 11-year-old, but they don’t get an equal vote in the decisions in my household.

Democracy is fairly unnatural. We don’t really choose it as a mechanism to run other institutions in this country, but we reserve it for government. We reserve it for government, but it only remains, it only survives, it only perseveres if we tend to it, and we have

not been tending to it over the last 3 years.

I rise to support Senator MERKLEY and his effort because I have watched what these other governments do at the outset—these would be autocrats—what they do to try to gently begin to quell people’s interest in free speech. The tactics that are being used in Portland, the tactics that were used just down the street, in the Nation’s Capital, the tactics that are being contemplated for other cities throughout this country are reminiscent of tactics that have been proven successful in other countries to try to push people back inside their homes and to try to disincentivize their interests in speaking up against power, because, I am going to tell you, as word spreads that if you run out to the streets to protest your government, you may be requisitioned and shoved into an unmarked vehicle, if you are a single mom, who can’t disappear for an hour, never mind a day, you aren’t going to be that interested in going out and speaking freely. All of a sudden, if the government is starting to come down like a ton of bricks with Federal troops, with sweeps of peaceful protesters off the streets and into confinement, it does start to chill people’s interest in standing up. And that is why governments across the world have tried to pioneer these practices.

They say they are still democracies. They say they still observe the rule of law, but, then, when people try to go out and protest, they throw the military at them. They start to snatch people off the streets, and, all of a sudden, people start to think to themselves that they are better off just staying in their homes. They are better off not protesting their government because the consequences now feel too significant.

I know, Senator MERKLEY, that a lot of folks claim that we are engaged in a hyperbole when we talk about the risks to democracy presented by this administration, but through our collective seats on the Senate Foreign Relations Committee, we see what is happening around the world. We see the ways in which, drip by drip, an open participatory democracy can all of a sudden start to foreclose the rights of people to be able to petition their government.

We should just remember that over the course of history, it is .001 percent of citizens who have lived in a democracy. This is not actually how the world has chosen to organize itself. We now have these templates. We now have these models provided to us by people like the leader in Turkey or the new President in the Philippines by which we should be cautioned in the ways in which we start to constrain speech, the ways in which we start to punish speech, the ways in which we start to make people believe that there is so much risk in speaking out against their government that they are better off just accepting whatever comes their way.

So I come to the floor today as someone who introduced legislation requiring the identification of military forces when they are doing crowd control. The minute that I saw those unmarked officers on the streets of the Nation's Capital, I knew how dangerous it was. I know enough about the history of our own country to know that vigilante justice, masked from identification, is reminiscent of some of the worst moments in American history. I know that we should be students of our own history to understand the danger to democracy presented by unidentified, unaccountable agents of justice, but I also know, as a student of the world today, that there are plenty of examples overseas that should caution us as well.

Maybe there isn't a question in there, Senator MERKLEY, but I am just so appreciative of your efforts, so appreciative that you have allowed me and the legislation that I have offered with Senator SCHUMER to require identification of Federal security forces to be added to the bill that you are offering. I will be with you every step of the way, if we are not successful in getting it included in the legislation pending today, to make sure it finds a way into law. I think your legislation is a cornerstone of our strategy to protect democracy for the next 240 years.

Mr. MERKLEY. Would my colleague from Connecticut yield for a question?

Mr. MURPHY. I would.

Mr. MERKLEY. For clarification, will my question be credited to my colleague's time, and can I ask unanimous consent that that it be credited to his time?

The PRESIDING OFFICER (Mr. YOUNG). If the Senator for Connecticut yields for a question, it comes off his time.

Mr. MURPHY. I would yield for a question, then.

Mr. MERKLEY. Thank you.

You made the point about lack of identification. I have here the picture of how these have been deployed. I will make sure you can see it as well.

Many are in camouflage—the generic police, with no sense of what agency they are part of, no unique identifier, even as the head of their organization—it was later clarified, and we found out, that they were CBP, Customs and Border Protection.

He said: Of course, they have unique identifiers and, of course, they are marked as Federal law enforcement—which they are not. But if one of these individuals, in the course of attacking protesters, shoots them with a rubber bullet that fractures their forehead and puts them in critical condition in the hospital, would we have any idea how to hold that officer accountable if they have no ID?

Mr. MURPHY. Thank you for the question.

This is what led me to join with many of my other colleagues, as I mentioned, including Senator SCHUMER, to introduce the legislation in the wake of the protests in our Nation's Capital.

Accountability is also a cornerstone of the rule of law. The only way that we can aggrieve abuses of power is to know who committed those abuses of power.

Listen, these troops or these riot officers were ordered to be in that space. Let's be honest that the vast majority of these patriotic law enforcement officers are trying to do the right thing. But we know, because we have seen the video, that there have been repeated—repeated—abuses on the streets of Portland, on the streets of New York City, and on the streets of the Nation's Capital. When those occur, frankly, it should be in the interest of law enforcement leadership themselves to be able to hold those individuals accountable so that we can make sure that the blame is not ascribed to every single individual who is uniformed and on these streets, but that we hold the specific individuals, or the individuals who ordered them to take those actions, accountable.

So as a broad question, Americans should want to know what agency these individuals are representing, and they should at least have a badge number attached to them so that we can make sure that individual actions have a line of accountability. But I would argue that the agency themselves should want that if they are really in the business of making sure that any abuses of power by their officers or by their soldiers or by their police are held to account as well.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Mr. President, I thank my colleague from Connecticut for his intense effort to defend the civil rights of citizens—not only of his State but all Americans—and for the truth he speaks that, when you have anonymous officers in war gear attacking peaceful crowds and committing, really, disturbing acts of violence against them, it is an unacceptable thing in our democracy.

He has noted that there was this conversation about the triumph of democracy as a strategy and it was going to spread and where we were going to find ourselves by this time was a world ruled by “we the people” governments across the land and how that is not the case.

He mentioned several countries that have been backsliding, and I think we could add to that those places like Poland and Hungary. I believe he mentioned Turkey.

It is tempting to be a strongman, and we have heard the President of the United States convey his admiration for these strongmen across the planet. But then he starts to bring their secret police, fascist tactics to the streets of America, and we have an obligation—under our oaths of office and simply as citizens of this Nation—to stand up and say no.

I have been reading letters from women who were on the frontline down in the peaceful protests, clarifying that

there was no violence except the violence of the Federal agents against them.

Here is another such letter:

I am a mom. I am a nurse. I live in Portland. I was peacefully protesting police brutality and racism tonight alongside other moms as part of the protests in downtown Portland. I had my arms linked with my own mom and my close friend when Federal agents in camo rushed us with guns pointed. They paused for a split second (as if to consider if they were really going to enact violence on a group of unarmed moms) then they pushed people down to my left. We were [chanting] “don't hurt our kids.” They threw flash-bangs at our feet. They tear gassed the crowd.

I will not be silent. This is not ok. Don't just consume the line that it is a bunch of anarchists the police and feds are attacking. That is not ok. Black lives matter.

I have many more letters of people explaining what happened. They all are basically the same: There were some kids doing some graffiti; there was some pounding on the door of the Federal courthouse, but there was no violence. The only violence came from the Feds attacking the peaceful protesters.

I am going to reserve the balance of my time. I see my colleague is here from the State of Utah.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Mr. President, I would inquire how much time I have remaining, please.

The PRESIDING OFFICER. The Senator has 12 minutes postcloture time remaining.

Mr. MERKLEY. Mr. President, I have been using this time to share stories from women who have been down at the peaceful protests in Portland and then as they relay that they are attacked even though there is no violence in the protest. And they are attacked in an incredibly violent way.

This is not, of course, the story the administration is telling the world, the President is telling the world. He says: There is violence, and we stopped it.

The truth is, it was a peaceful protest, and Trump's Federal agents, dressed in war outfits, assaulted those protesters, as you heard in letter after letter after letter.

It is almost like acts in a play. You have women holding flowers, like this sunflower, and some had mums. They are dancing. They are singing.

Act 2, the camouflaged secret police, Trump's secret police, come onto the street—no agency identifier, no unique identifier—and then they start assaulting the women. That is act 3, the assault.

These women are describing that assault in graphic terms. It is tear gas. It is flashbang grenades. It is pepper spray. It is batons. It is a woman a few feet away being hogtied. It is a woman a few feet away being knocked to the ground. That is act 3.

And why is this happening? Because the President likes the authoritarian, secret-police tactics of dictators around the world and wants them to

bring them to the United States of America and is bringing them to the United States of America.

Maybe the moment he is doing it—right now—is because he is running campaign ads about what a good person he is to stop violence in America.

Let's understand that the President of the United States is creating violence in the streets so he can run campaign ads to say that he will stop the violence. That is this play.

It feels like a Greek tragedy. It feels like something that would never happen in America—but it is.

I have been relaying these letters that describe it in so much better terms than anyone can. This letter is from Karen—or this Facebook post is from Karen.

She says:

Mixed feelings this morning, waking up eyes still stinging and a metallic taste in my mouth after ending the night of nonviolent protest with the #WallofMoms being gassed, shot at, and manhandled to the ground without provocation. Here's what happened.

The majority of the night was a calm gathering spent listening to speakers, chanting, singing, and marching. Toward 11:30ish, folks gathered on the steps of the Justice Center. I intentionally positioned at the front line with the Moms to see for myself the truth.

There were definitely some idiot kids yelling stupid and unproductive things, but mainly we gathered calmly, sweating in the heat, holding signs and chanting in solidarity with BlackLivesMatter. More experienced protesters told the Moms without gas masks to get a few layers of people back since they knew to expect CS gas again tonight. The only physical actions taken before all hell broke loose is that some of the protesters were banging and kicking loudly on the thick plywood wall that had been constructed to block the entrance to the Justice Center.

We waited and then suddenly some kind of bullets . . . started shooting out of a small hole cut in the plywood, I felt a few stings like small pebbles or sand, it didn't really hurt but it scared me. Then some kind of smoky stuff (tear gas in hindsight) was in the air. I already couldn't see very well since my swim goggles had fogged up, but I didn't feel any burning etc. Those without respirators started leaving when they couldn't see or breathe. Huge loud noises and explosions ("flashbangs") were going off in front and behind us. Some of us linked arms and stood together as there were (where they came from) all these big officers in black riot gear with batons starting to push us off the steps of the Justice Center. We tried to hold our ground but then one Mom a few down the row from me was grabbed pulled back toward the group of officers and they started to drag her away. She must have said something inflammatory, but she was linked arms and could not have hit them, thrown objects, or resisted anything. We tried to pull her back to us for her safety and then suddenly I was grabbed by 3-4 officers who were shouting to each other to "pull her down, get her on the ground" etc. (indeed they shoved and pulled me to the ground, grabbing both arms and my backpack to do so). Someone from the Moms said, "let's go, they are surrounding us, we can't do anything now." By then the swim goggles had leaked and my eyes were burning and tearing and I . . . couldn't see, and I just crouched on the ground in a ball and put both hands up. Then—I heard the officers asking if I was ok. Asking if I could stand (I couldn't since

I couldn't see). At least one of them said "I'm trying to help you." The crowd was yelling "leave her alone" and came from behind me and were coaching me to keep my hands up and stay still. Sat there awhile shaking, getting my bearings, and finally I asked if I was being detained or if I could leave. Heard several back and forth conversations between the officers about "she resisted us" and "she tried to help her friend get away." [And then someone else said] "if she's willing to leave, just let her go." I kind of scooted back on my butt into the crowd and then some kind soul asked if he could help me up and get away from the gas, took my arm and we walked up the block back into the park. Some other kind soul asked if we needed Maalox for our eyes (that helped a little) and then we were out of the bitter cloud.

I felt sorry for the officers actually, who were only doing what they were told by some pretty evil higher-ups (to disperse nonviolent crowds by force), and as far as my experience last night, actually seemed to try to do their best not to truly hurt me (possibly because I am white, female, and was wearing yellow to identify as a Mom).

I got away with some scraped knees and a sore hip, plus the stinging eyes and metallic taste which will soon pass. But also—worst—a heavy heart. It really is senseless out there. I don't have answers and am no longer convinced that showing up is helping anything. However, I am pretty sure if the Feds hadn't been called in this would have continued to fade as hopefully productive real change and progress were made involving the city government and PD about the actual issues—concern about police brutality and social inequities for POC [people of color]—but now look at us.

We should look at these protesters who are calling for justice, for policing that treats everyone equally, and it doesn't profile, doesn't provide public safety protection to some and ignore others. It doesn't view some citizens as the clients and other citizens as the threat. It doesn't change their actions when they see a group with white skin versus black skin or dark skin.

That conversation is being destroyed by the President of America. He is trying to replace that argument for a better America that treats people with respect and honors the civil rights of all with a different America where secret police are deployed to beat the hell out of peaceful protesters and then put up campaign ads to say that he will fix it.

We cannot let this story go unanswered. At a minimum, collectively, all 100 of us should say: No secret police—they wear identifiers for agencies. They wear unique identifiers, and they don't go marching through the streets of our city. They stay to protect the Federal property they are charged to protect. They don't attack peaceful protesters with flashbangs and tear gas and pepper spray and rubber bullets and batons. We don't do that here in America.

I hope all 100 Senators will stand up and say: Yes, let's have a debate on a very simple amendment that says yes to ID on uniforms—there are no secret police—and yes to staying on your Federal property or the near vicinity if that is your mission, so we don't have folks on an unrestricted mission of

sweeping through our streets, grabbing people, and throwing them into vans as we have seen on the streets of Portland.

I am asking that this Senate do its job to address this issue, to hold a debate—long or short, as my colleagues would prefer—and vote. It is important we raise our voice. It is important we vote. It is important we have accountability. It is important that we defend the Constitution of the United States and the citizens of the United States.

The PRESIDING OFFICER. The Senator from Oklahoma.

UNANIMOUS CONSENT REQUEST—AMENDMENT NOS. 2127; 2180; 2305; 2308, AS MODIFIED; 2399; 2431; 2449; 2459; 2484, REFILE OF 2421; 2486, REFILE OF 2330; 1752; 1876; 2221; 2295; 2407; 2410; 2412; 2432; 2438; 2439; 2436; 2446, AS MODIFIED; 2453; 2430; 2461, AS MODIFIED; 2437; 2471; AND 2429

Mr. INHOFE. Mr. President, I ask unanimous consent that the following amendments be called up en bloc and the Senate vote on adoption of the amendments en bloc with no intervening action or debate.

Before I read the names, which I will do, I make that request: I ask unanimous consent for the following amendments to be called up en bloc and the Senate vote on adoption of the amendments en bloc with no intervening action. I am going to list all of the amendments so there is no misunderstanding.

The reason we are going to do this—we talked about this last night. These have been hotlined. There are a total of about 28 amendments. I will be naming in the RECORD those that I am asking the consent for: Sullivan, No. 2127; Toomey, No. 2180; Rubio, No. 2305; Cruz, No. 2308, as modified; Grassley, No. 2399; Fischer, No. 2431; Perdue, No. 2449; Perdue, No. 2459; Tillis, No. 2484, refile of No. 2421; Portman, No. 2486, which is a refile of No. 2330; Peters, No. 1752; Cardin, No. 1876; Heinrich, No. 2221; Klobuchar, No. 2295; Udall, No. 2407; Schumer, No. 2410; Booker, No. 2412; Duckworth, No. 2432; King, No. 2438; King, No. 2439; Grassley, No. 2436; Moran, No. 2446, as modified; Cassidy, No. 2453; Crapo, No. 2430; Reed, No. 2461, as modified; Klobuchar, No. 2437; Warner, No. 2471; and Bennet, No. 2429.

The PRESIDING OFFICER. Is there objection?

The Senator from Oregon.

UNANIMOUS CONSENT REQUEST—AMENDMENT NO. 2457

Mr. MERKLEY. Mr. President, reserving the right to object, would my colleague from Oklahoma modify the request to include unanimous consent to call up amendment No. 2457, an amendment to limit Federal law enforcement officers from operating in a secret fashion on the streets of America without identification; that there be 2 hours for debate, equally divided between opponents and proponents; that upon the use or yielding back of time, the Senate vote in relation to the amendment with no intervening action or debate?

The PRESIDING OFFICER. Does the Senator so modify his request?

Mr. INHOFE. Mr. President, reserving the right to object, this is an issue that we have talked about for some time, and we have spent a whole year on this bill. We have covered these issues before. I do object to that modification.

The PRESIDING OFFICER. Is there objection to the original request?

The Senator from Montana.

UNANIMOUS CONSENT REQUEST—AMENDMENT  
NO. 2481

Mr. DAINES. Mr. President, reserving the right to object, I am here to speak about a very important issue facing our veterans in Montana. In Montana, we are home to one of the largest veteran per capita population in the Nation. It is an extraordinary privilege for me to represent our veterans.

I am the son of a veteran, a marine. In the U.S. Senate, I represent Montana's brave men and women who serve our country in uniform, and I have had the opportunity to hear concerns from our veterans in all corners of our State. That is why I am here today.

Last spring, the widow of a Montana veteran, Patricia Pardue, who lives in Northwest Montana, approached me with a heartbreaking story. Patricia saw nearly all of her pension benefits that her husband had earned in service to our country stripped away by a scam artist.

This scam artist is also referred to as a pension poacher. This scam artist was receiving Patricia's full VA pension, charging her for services that would have been free at the VA.

Sadly, Patricia's story is not a rare occurrence. There are bad actors across the country taking advantage of innocent Montanans like Patricia, and they need to be stopped. After hearing her story, I introduced a bipartisan bill to protect our veterans and their families from these pension poachers.

My bill has the support of Senators across both sides of the aisle, as well as the support of the Military Order of the Purple Heart of the USA, the National Association of County Veterans Service Officers, the Iraq and Afghanistan Veterans Association, and other military and veterans associations.

This is a bipartisan bill. It punishes those who act illegally by providing advice or representation to veterans without proper accreditation from the VA. It is a shame we are even in this position today, that there are people out there looking to take advantage of our Nation's heroes.

Today, there are no legal consequences for these people—these shameful and unpatriotic individuals who steal money from our Nation's veterans. It is shameful. That is why I am fighting to include this bipartisan bill as an amendment to the defense legislation, the NDAA, before us today—to protect our servicemembers throughout their lives, not just while in uniform but always.

Right now, we can take an important step to do everything in our power to ensure veterans and their families keep

their benefits, not lose them to scammers. The longer we wait to fix this issue, the longer we are failing our veterans and their financial well-being.

We can fix that right here, right now. That is why I am calling on my colleagues today to adopt my amendment to the NDAA—to protect our veterans, to protect the great men and women who have served in the defense of our country.

I will stand by the Montana veterans, and I will continue fighting this fight until we get this done. Therefore, I ask the Senator to modify his request to include the Daines amendment, No. 2481.

The PRESIDING OFFICER. Does the Senator from Oklahoma so modify his request?

The Senator from Rhode Island.

Mr. REED. Mr. President, this is a meritorious issue, obviously, involving veterans. But at this late juncture, after the weeks we have spent in deliberation both in the committee and then on the floor, it is not yet—this particular amendment—ready so that there is no opposition on my side. Since there is opposition, I would like to inform the Senate and the chairman of that situation.

Mr. INHOFE. Mr. Chairman, I would agree it is hard to find anything with more merit than this. It is something I want to work very hard to accomplish. However, we do have an agreement that this would violate.

For that reason, I object.

The PRESIDING OFFICER. Is there objection to the original request?

The Senator from Utah.

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

Mr. Chairman, I came to the floor earlier this week to implore my colleagues to debate the administration's proposal to withdraw troops from Germany and to vote on my amendment aimed at evaluating such a move.

As I committed in my remarks at that time, I am objecting to the managers' package on the basis that the Senate has not been afforded the opportunity to have that debate.

The proposed removal of our troops from Germany is a matter of extreme significance for our national security and our military readiness. A decision of this magnitude should not occur without the input of the U.S. Senate. The failure to debate such a consequential matter is a disservice to this Chamber, to our Nation, and to our allies.

My amendment seeks to evaluate such a withdrawal and affirm our support for Germany, our support for our NATO allies, and our national security interests, and it sends a strong message to our adversaries like Russia. Therefore, I ask the Senator to modify his request to include the Romney amendment No. 1885.

The PRESIDING OFFICER. Does the Senator so modify his amendment?

Mr. INHOFE. Reserving the right to object.

We have a President who has put this plan together. We spent a lot of time on this. The Senate has been heard. We actually discussed this as we put together our bill.

For that reason, I do object to the modification.

The PRESIDING OFFICER. Is there objection to the original request?

Mr. ROMNEY. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. LEAHY. Mr. President, every year, the Senate considers sweeping legislation to authorize operations of the Department of Defense and certain functions of the Department of Energy. The fiscal year 2021 National Defense Authorization Act provides a roadmap for spending for national defense, spending which reflects over half of the annual Federal budget. Its importance is enormous, and its consideration important. Regrettably, the Senate in recent years has reduced consideration of the NDAA to a perfunctory exercise occupying a couple of weeks of debate, and little consideration of amendments. While I support much of what is included in this authorizing package, I cannot support its passage.

I am most concerned that the FY21 NDAA includes authorization for testing of nuclear devices. Where our President fails to lead in global diplomacy and common decency, he seems enthralled with an approach favored by autocrats and dictators: demonstrations of military might over strategic partnerships and alliances. I am concerned that, under this administration, we are inexorably trending toward a new nuclear arms race, where demonstrations of power have taken the place of treaties that made the use of history's most dangerous weapons less likely.

Coupled with authorization to build a new nuclear warhead, the Senate's fiscal year 2021 National Defense Authorization Act goes beyond the nuclear modernization plan set in action by the Obama administration in concert with ratifying New START. Rather, it takes scientifically dubious and strategically unnecessary steps to support the President's seemingly exclusive interest in brandishing—literally—our military might. Congress and Presidents of both parties have worked for decades to help the world avoid repeating the precarious situation of the 1960s; I worry we are starting a slow march back to that edge.

Like many Senators, I am disappointed that a simple amendment I have authored to provide resources through the Department of Defense to communities who are the home to significant military missions through our National Guard did not receive consideration. The men and women of our National Guard are members of our communities. They are our mothers and fathers, our husbands and wives, our co-workers and neighbors. The important missions they serve help not only our

communities, but our national defense. The Department of Defense should not only support the men and women who serve in uniform, but also the communities in which they partner. This simple, straightforward amendment would have provided \$20 million for the Department of Defense to support multiple communities where certain military missions that serve the national defense are based. As communities across the country support our military's missions, so, too, should our Department of Defense serve their needs.

I am also disappointed that the Senate has rejected an amendment to rein in the dramatically escalating budget of the Department of Defense. As the vice chairman of the Senate Appropriations Committee, I have worked with the Republican leadership and with Chairman SHELBY in recent years to strike budget agreements that have resulted in parity between defense and nondefense spending. At the same time, amid a national and international public health crisis, the time has never been more critical to infuse more resources in public health, education, and business development programs. The Sanders amendment would have maintained full support for the personnel needs of the Department, as well as the critical medical research supported through the Department of Defense. It would, however, have also taken some of the Department's sweeping budget and reserved it for underfunded domestic needs. This is long overdue.

The Senate will pass this bill today, and we will need to reconcile differences with the House. While I will not vote for the Senate bill as it currently stands, there are many provisions that merit support. The bill continues a streak in recent years of improving support for the health and safety of military servicemembers and their families and, this year, also authorizes \$44 million for vaccine and biotech research support for COVID-19 response that benefits everyone. The bill includes limitations on the use of the military against protestors, following the administration's actions against protestors in the Nation's Capitol, and the photo-op that followed. It includes a provision to begin the process for renaming U.S. military facilities named after Confederate generals. Our bases today should reflect the foundational belief that we are all created equal, not glorify those who sought to perpetuate slavery and destroy the Union.

I am also very pleased that a project I have worked on many years to heal the wounds of the Vietnam war has been advanced. Over the last 2 years, we have included an authorization and the Appropriations Committee has funded a project to remediate dioxin contamination at the Bien Hoa Airbase. This year, we also include an authorization for a partnership with the Vietnamese Government for recovering remains of missing in action in Viet-

nam. For more than 40 years, the Vietnamese Government has provided indispensable assistance in locating the remains of more than 700 U.S. MIAs. This provision will enable the Department of Defense to reciprocate by providing archival data and other assistance to Vietnam. I want to thank Senators HIRONO and KAINE for their help in sponsoring this amendment in committee and Chairman INHOFE and Ranking Member REED for accepting it.

I hope that an agreed upon fiscal year 2021 National Defense Authorization Act will address these concerns. While I cannot vote to pass this bill today, I hope to be able to support a conference agreement that supports our men and women in uniform and their families, meets the defense needs of our Nation, and reflects the values that have made American the beacon of hope for generations.

Mr. INHOFE. We are at the point now where I would like to make a few comments, and I would like to ask our ranking member to make some comments. This has been a long time in the making.

I have said several times on the floor that this, in my opinion, is the most important bill of the year. It is something we have done every year. This will be the 60th consecutive year that we have actually done this bill.

It is never easy. One reason it is not easy is because everybody knows it is going to pass, so people want to be a part of it and put their many amendments that aren't even germane on this bill. We are now to the point where, in just a few minutes, we are going to be voting on the final passage of the National Defense Authorization Act for Fiscal Year 2021.

When Senator REED and I introduced this bill, we thought we had a good bill. The bill was really led by the Members. This never happened before. We started off with over 700 requests and amendments so that the Members themselves have drawn this bill together. It is not as if it is put together by a committee; it was put together by all of us here in the Chamber. The committee approved it 25 to 2. That is overwhelming. I think everyone understands that.

We filed it with the hopes of adding a few more amendments on the Senate floor. We did that. We added more than 140 amendments altogether. We even had some debates and rollcall votes on amendments, something we haven't done probably in the last 5 years or so.

Now we are voting on a great bill, a bill that every Senator had the chance to make his or her remark on. Once the Senate passes this bill, we will still have more work to do. We still have to go over to the House and pass their bill. We have to go to conference with the House. We will do that. We have done that every year for many, many years. Our next step would be, of course, to do the conference.

Then we will work to make sure, once again, this is a bipartisan con-

ference report that both parties can support and the President can sign.

It has been bipartisan. All these amendments—each group amendment that the ranking member, Senator REED, yesterday talked about—were equally divided between Democrats and Republicans. I have not seen it this way in the past. We will make sure, once again, that we have the same bipartisan effort.

I have said it many times over the past several days and several weeks that the NDAA is one of our most important responsibilities. There is a document I refer to now and then that nobody reads anymore called the Constitution. In that Constitution, it tells us what we are supposed to be doing here. What we are supposed to be doing here is exactly what we are doing today.

The National Defense Authorization Act is how we fulfill that responsibility, and we have done this every year for 60 years in a row now. It is a sacred responsibility we all have to all Americans, especially our troops and their families—those in harm's way. Every day they wake up, lay their lives on the line to defend our Nation and our values and freedom, democracy, and peace.

Right now, the main challenge to our security comes from authoritarian regimes that stand against all of our values. I am talking about China and Russia and others—primarily China and Russia.

The way we win against our adversaries is by making sure our fights never start by sending a strong message that "you can't win; don't even try." That is what we are doing with this bill.

The National Defense Strategy Commission report is significant because this is the second time now we have done this. This is a book that was put together by six leading Democrats, six leading Republicans—all very knowledgeable on this issue. It is called the "Common Defense." This is what we have used as our blueprint. We stayed pure with that all the way through.

The NDAA makes sure that we have the personnel, the equipment, the training, and the organization needed to support the strategy that is found in this book. If we get it right, we will be set on a steady course toward a peaceful, free, and prosperous world—not just for us but for our children and our grandchildren as well. Kay and I have been married for 60 years. We have 20 kids and grandkids. We know something about this and the significance of this.

The backbone of all of this is our men and women in uniform, so this bill is for them. The bill provides for a 3-percent pay raise, the largest one in over a decade. It also takes care of the families and makes sure their spouses have employment opportunities, children have access to good schools and childcare, and they are all living with a quality roof over their heads.

These are priorities that go beyond party. That is why this bill has passed for the last 59 years in a row with bipartisan support, and that is why we are going to do it again today.

There is talk out there that people in Washington don't really work that hard. Let me assure you, they do in this case. We have been blessed with a couple of leaders, this great committee we have that put this together. Those leaders include John Bonsell. John Bonsell has been working in this effort with me for well over 20 years, and he was a great leader of this group. On the Democratic side, the minority side, Liz King has worked hand in hand with John Bonsell. The whole team has worked together.

Developing a bill that comes out of committee with only two dissenting votes is not something that is done every day. I want to personally thank those individuals on our side, and we will ask Senator REED to do the same on the minority side.

We want to thank not just John Bonsell but John Wason, Tom Goffus, Stephanie Barna, Greg Lilly, Marta Hernandez, Rick Berger, Jennie Wright, Adam Barker, Augusta BinnsBerkey, Al Edwards, Sean O'Keefe, Brad Patout, Jason Potter, Katie Sutton, Eric Trager, Dustin Walker, T.C. Williams, Otis Winkler, Gwyneth Woolwine, Katie Magnus, Arthur Tellis, Leah Brewer, Debbie Chiarello, Gary Howard, Tyler Wilkinson, John Bryant, Griffin Cannon, Keri-Lyn Michalke, Soleil Sykes, Brittany Amador, Jillian Schofield.

We will cover those from the minority side in just a moment.

From my personal office: Luke Holland, Andrew Forbes, Leacy Burke, Don Archer, Travis Tarbox—who just got his promotion to major yesterday—Brian Brody, Dan Hillenbrand, Jake Hinch, Devin Barrett, Laurie Fitch, and Whitney Fulluo.

Lastly, from the floor staff: Robert Duncan, Chris Tuck, Megan Mercer, Tony Hanagan, Katherine Foster, Brian Canfield, Abigail Baker, Anna Carmack, and Maddie Sanborn.

It is because of the tireless work of all these fine people—we are talking about the members of the committee, the personal staff, and we are talking about the staff in the cloakrooms—I want to thank them all. This is our only opportunity to do that.

We are going to hear now from the ranking member, Senator REED, and then, after that, we will vote and look forward to this year's NDAA passing with a strong bipartisan majority.

Senator REED.

Mr. REED. Thank you very much, Mr. Chairman.

Mr. President, I rise, once again, to express my support for the National Defense Authorization Act of Fiscal Year 2021. I want to commend the chairman for his leadership and his thoughtfulness throughout this whole process.

I am pleased, as we all are, that we will be voting soon on passage. I be-

lieve this is an excellent bill. I believe it provides the men and women of our military with resources and the authorizations needed to defend our Nation, while at the same time taking care of their families. It was crafted after a series of thoughtful hearings, discussion, and debate on both sides of the aisle. It was passed out of committee with strong bipartisan support.

Most importantly, I am very pleased that this bill has had such full consideration on the Senate floor. For the first time in a long time, we were able to come to an agreement to debate and vote on several amendments. In addition, we were able to adopt over 140 amendments from Members on both sides of the aisle.

I want to, again, thank Senator INHOFE for his leadership getting the Defense authorization bill to this point, overcoming the many challenges posed by the pandemic and by other factors that made this a very unusual year. I look forward to working with him as we go into conference.

Finally, I would like to thank the committee staff who have worked so hard. I specifically want to recognize, as the chairman has, the staff director, John Bonsell, for the Republicans and the staff director for the Democrats, Elizabeth King. They worked together. They are diligent. They are bipartisan. They are thoughtful. They are the best examples of a staff member of the U.S. Senate.

I would also like to thank my staff on the Democratic side: Jody Bennett, Carolyn Chuhta, Jon Clark, Jonathan Epstein, Jorie Feldman, Creighton Greene, Ozge Guzelsu, Gary Leeling, Kirk McConnell, Maggie McNamara Cooper, Bill Monahan, Mike Noblet, John Quirk, Arun Seraphin, Fiona Tomlin, and, once again, staff director Elizabeth King.

Also, let me thank the floor staff and the leadership staff. You have been part of this process for the last several weeks, and you have done a remarkable job. We thank you for that very, very much. You facilitated our efforts.

Finally, I would urge all of my colleagues to vote for this very excellent bill.

I yield the floor.

Mr. INHOFE. Mr. President, I know of no further debate.

The PRESIDING OFFICER. The clerk will read the title of the bill for the third time.

The bill was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

Mr. INHOFE. Mr. 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 bill clerk called the roll.

The result was announced—yeas 86, nays 14, as follows:

[Rollcall Vote No. 140 Leg.]

YEAS—86

Alexander	Fischer	Reed
Baldwin	Gardner	Risch
Barrasso	Graham	Roberts
Bennet	Grassley	Romney
Blackburn	Hassan	Rosen
Blumenthal	Hawley	Rounds
Blunt	Heinrich	Rubio
Boozman	Hirono	Sasse
Burr	Hoehn	Schatz
Cantwell	Hyde-Smith	Schumer
Capito	Inhofe	Scott (FL)
Cardin	Johnson	Scott (SC)
Carper	Jones	Shaheen
Casey	Kaine	Shelby
Cassidy	King	Sinema
Collins	Klobuchar	Smith
Coons	Lankford	Stabenow
Cornyn	Loeffler	Sullivan
Cortez Masto	Manchin	Tester
Cotton	McConnell	Thune
Cramer	McSally	Tillis
Crapo	Menendez	Toomey
Cruz	Moran	Udall
Daines	Murkowski	Van Hollen
Duckworth	Murphy	Warner
Durbin	Murray	Whitehouse
Enzi	Perdue	Wicker
Ernst	Peters	Young
Feinstein	Portman	

NAYS—14

Booker	Kennedy	Paul
Braun	Leahy	Sanders
Brown	Lee	Warren
Gillibrand	Markey	Wyden
Harris	Merkley	

The bill (S. 4049), as amended, was passed.  
(The bill, as amended, will be printed in a future edition of the RECORD.)

#### 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 William Scott Hardy, of Pennsylvania, to be United States District Judge for the Western District of Pennsylvania.

Mitch McConnell, Chuck Grassley, Cindy Hyde-Smith, Michael B. Enzi, Tim Scott, Marco Rubio, Lamar Alexander, James E. Risch, David Perdue, Bill Cassidy, Pat Roberts, John Cornyn, Lindsey Graham, Thom Tillis, Deb Fischer, Mike Crapo, Kevin Cramer.

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 William Scott Hardy, of Pennsylvania, to be United States District Judge for the Western District of Pennsylvania, shall be brought to a close?

The yeas are nays are mandatory under the rule.

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 Carolina (Mr. BURR), the Senator from Louisiana (Mr. CASSIDY), the Senator from Arizona (Ms. MCSALLY), and the Senator from Utah (Mr. ROMNEY).