

Perdue, Kevin Cramer, John Cornyn, Shelley Moore Capito, John Thune, Cindy Hyde-Smith, Cory Gardner, Roy Blunt, Martha McSally, John Barrasso, 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 the nomination of Thomas T. Cullen, of Virginia, to be United States District Judge for the Western District of Virginia, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Wisconsin (Ms. BALDWIN), the Senator from California (Ms. HARRIS), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Vermont (Mr. SANDERS), and the Senator from Michigan (Ms. STABENOW) are necessarily absent.

The yeas and nays resulted—yeas 77, nays 18, as follows:

[Rollcall Vote No. 163 Ex.]

#### YEAS—77

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

#### NAYS—18

Bennet	Hirono	Schumer
Blumenthal	Markey	Smith
Booker	Menendez	Udall
Cantwell	Merkley	Van Hollen
Gillibrand	Murray	Warren
Heinrich	Schatz	Wyden

#### NOT VOTING—5

Baldwin	Klobuchar	Stabenow
Harris	Sanders	

The PRESIDING OFFICER. On this vote, the yeas are 77, the nays are 18.

The motion is 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 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 Diane Gujarati, of New York, to be

United States District Judge for the Eastern District of New York.

Mitch McConnell, Mike Crapo, Thom Tillis, Mike Rounds, John Hoeven, Roger F. Wicker, Pat Roberts, John Thune, Cindy Hyde-Smith, John Boozman, Tom Cotton, Chuck Grassley, Kevin Cramer, Steve Daines, Todd Young, John Cornyn, Roy Blunt.

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 Diane Gujarati, of New York, to be United States District Judge for the Eastern District of New York, 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.

Mr. DURBIN. I announce that the Senator from California (Ms. HARRIS), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Vermont (Mr. SANDERS), and the Senator from Michigan (Ms. STABENOW) are necessarily absent.

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

The yeas and nays resulted—yeas 94, nays 2, as follows:

[Rollcall Vote No. 164 Ex.]

#### YEAS—94

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

#### NAYS—2

Hirono	Van Hollen
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#### NOT VOTING—4

Harris	Sanders
Klobuchar	Stabenow

The PRESIDING OFFICER. On this vote, the yeas are 94, the nays are 2.

The motion is agreed to.

#### EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Diane Gujarati,

of New York, to be United States District Judge for Eastern District of New York.

The PRESIDING OFFICER. The Senator from Oklahoma.

#### CORONAVIRUS

Mr. LANKFORD. Madam President, for the past several weeks I have had the opportunity to be able to travel around the great State of Oklahoma. I have literally been from Guymon to Talihina, to Bartlesville, to Lawton to cover as much space as I could and talk to as many people as I could.

Obviously, we were in smaller groups, with masks and social distancing and doing all the things we could to take care of each other, but taking the moment to meet with school superintendents, parents, teachers, healthcare providers and hospital administrators, small business owners and employees of large and small businesses, not-for-profits and their volunteers, law enforcement individuals, city managers, mayors, city councilmen, State leadership.

I wanted to hear what was happening on the ground in my State in order to know what needs to be addressed because there has been a lot of noise in Washington, DC, about what needs to be done on COVID.

There are many people in the national press who are struck by the fact that \$3 trillion has already been allocated to deal with COVID-19 and a tremendous number of changes have already occurred. But in this town there are a significant number of people who say: We just spent \$3 trillion. That was fun. Let's do it all over again and see how we can spend even more.

My focus has been very simple: What is needed to be able to beat the virus? What I heard all over Oklahoma wasn't "Go do more; just spend more and create new programs" but "How can we beat this virus back so that we can actually get to a moment where we can function again economically as a nation?"

People are returning to work, but they are asking very basic questions. The first of those is "This is a health crisis. What do we do?"

The bill that has just been released, which we are voting on in the Senate tomorrow, has a whole series of issues tailored to actually work on beating the virus back and getting our economy going and helping to protect our families. That is the design of this. It is not just doing something; it is trying to do the right things to actually help us get through this and get to the other side, starting with money for testing—not just additional testing but new types of testing to make sure that we have even faster tests out there and that we have more testing that actually addresses the issue of how we can do it on-site, get an accurate result, and not wait weeks. While we literally have millions of tests that have been done, we have some tests that take a long time to get back. In March, we were dealing with "Let's get a test,"

and now we are dealing with “Let’s get a faster test.” That is a lot of the focus of the funding here: faster testing.

On vaccines, there are six vaccines right now that are in human trials or that are approaching human trials, which is remarkable, thinking about the history of vaccines and how long it has taken. But there was a significant amount of money invested in this in February and March in previous bills to be able to fast-track the research, and that has made a difference. Now it is a matter of moving it from the research phase to trials to actually implementing it nationwide. So there is significant money for testing, for vaccines, and for treatments.

Secondly, how do we get our schools open again? I heard over and over again from parents, administrators, and teachers: We want to get our schools open again—public, private, charter, online, whatever it may be. Those parents who are taxpayers and individuals—regardless of where they choose to send their child to school or if they choose to keep their child at home for school—want to know what is going to be done to help our kids get educated. While the vast majority of funding and authority for education is in the States, there is a Federal connection here that we should be able to help, especially kids with special needs. They have unique challenges during this time of COVID-19, and we need to be able to get those kids back in school and get them the additional care they need during this time period.

What all parents are saying to me is this: I want the best possible moment. I do not want my kid being written off for the future because someone didn’t choose to invest in them now.

This bill has \$105 billion toward education—public, private, charter, homeschool. It has tax credits built in to assist parents to be able to choose where they want their kids to go. It has the ability for more schools to go online to help through this season. It has additional dollars to be used for transportation because many school districts are doing multiple bus routes to keep down the number of people on individual buses. All of those things are helpful. We want to help get our kids back in school and make sure that this is successful.

During this moment, it has been interesting. As I talked to many superintendents and educators, they all said to me the same thing: We are working hard to get our kids back to class and to do the things they need to do.

Then they would pause and say: For years we have talked about innovation in education, but we have been stuck doing the same thing over and over again and have been frustrated with the results. This pandemic has forced us to innovate in education in ways that we only dreamed about years ago. We need to be prepared during this season not only to continue to educate our kids in the best way possible but to take notes on the best innovations

across the country in education because we have said as a nation that we need to be stronger in how we are educating our kids and the end product of that and how we are preparing them for the workforce. This is that moment we should pay attention to, as well, in the education innovations that are actually going on in my State and in many States around the country.

There is money in this, as well, for childcare. This has been an interesting challenge. Childcare facilities have fewer people who are actually allowed to be there—the children who are able to be there—but the profit margin doesn’t work for them to have all those employees and fewer children. We want them to be able to be there and be successful and survive this, so we added additional dollars for childcare.

We have additional dollars for ag because in some areas of agriculture across the country, they have done very well, but some have really struggled. If we all want to be able to eat at the end of this, we better make sure that ag survives and thrives through this.

I met with a lot of small business leaders and heard a lot of different conversations. They were very appreciative of the Paycheck Protection Program. In my State, 61,000 small businesses and not-for-profits took advantage of the Paycheck Protection Program, and many of them told me that they would not be open today if it weren’t for that. They are grateful this body came together to deal with the Paycheck Protection Program because it made a difference in my State and many other States around the country.

The bill we are putting on the floor on Thursday deals specifically with the next round of paycheck protection, limiting it to the hardest hit small businesses and nonprofits, those that have had the largest amount of revenue loss and that are the smallest of businesses. We need them to be able to survive through this. Nothing is going to make them whole, and the goal of this shouldn’t be to make every business whole. We can’t financially sustain that as a country, but we can try to get people through this and get to the other side of it.

We are all going to have to innovate. Most of the small businesses that I talked to told me about the innovations they were doing and how they used to do business one way, and, within 36 hours, they figured out a way to do it a different way. That is the American system. That is free market and capitalism at their best—that at the moment of struggle, you can go innovate and do things different and be successful with that. That is what we have to continue to protect—not too much government oversight and control of everything that, in the days and moments where we have to innovate, people can’t innovate because they have so much government mandates on them.

I was grateful to the Trump administration for how much flexibility they

gave to the process, not only to waivers for child lunches through the schools and flexibility there, but flexibility for businesses to be able to innovate in a very difficult moment.

We will need another round—a smaller round, but another round—for the hardest hit businesses for the Paycheck Protection Program. Our not-for-profits told me over and over how much work they are doing during this time period. We need to make sure those not-for-profits not only survive it but thrive.

As I have said to this body before, we have three safety nets in America: the family; churches, not-for-profits, and faith-based institutions; and then government is third. A lot of people look at our safety net as being all the government programs, but that is the last in this cycle. If our families aren’t strong, then individuals struggle. If our faith-based entities and our not-for-profits that take care of so much human need are not strong and thriving and those volunteers aren’t engaged, there is no way the government can keep up with the issues.

So just keeping not-for-profits open can’t be the goal for this. We have to keep them thriving. Those not-for-profits around the country are taking care of the homeless, the hungry, and the hurting, and we need to find ways to strengthen them. The best way to do that is not to have some government program to establish the best way to identify good not-for-profits. The best way to do that is to allow the American people to look at what is working in their neighborhoods and their communities, because they will invest their own dollars to do that.

In the CARES Act, I pushed for and we got a \$300 write-off on your taxes if every American will give \$300 to the not-for-profit of their choice. In this proposal, that doubles for the individuals and quadruples for the family. This is a \$600 tax write-off for an individual or a \$1,200 tax write-off for a family if they will donate to a not-for-profit.

Why do we choose to do that? Because not-for-profits are way more efficient at taking care of human need than the government is and because they have a face. They are interacting with a family. They are interacting with an individual directly. They are not dealing with someone on the phone or online. It is not a check that you receive or a form that you fill out. It is a person that you meet with face to face who says: How can I help you? And it is a volunteer that will walk through life with you.

Those faith-based ministries and those secular and other not-for-profits out there are making an enormous difference, and the best thing that we can do to make sure they thrive in this moment is to make sure that we incentivize individuals that give to them by saying: You can give this to Uncle Sam or you can give this to a local charity of your choice. Either

way, it is going to strengthen individuals. Go engage with that.

That is in this bill, and it is important that we continue to walk alongside them and all of those not-for-profits to make sure they thrive because we need them thriving, not just surviving in this moment.

There is one other thing that I want to identify. There are a lot of things that are in this bill. It is liability protections. Businesses and universities in my State said: We desperately need the Federal Government to clarify liability protections.

Now, there have been individuals on the other side of the aisle that have said: We don't want to do that. We want to just leave that up to the lawyers in the days ahead who have lawsuits. What is occurring is there are many businesses in my State that are holding back and many schools in my State that are holding back trying to figure out what happens next for fear of what could be a series of lawsuits. They just want clarity. They want to do business where they can protect their employees, protect the customers or individuals or students that are there that are around them, but they also want to be able to operate and function again, and they don't feel like they can do that without basic liability protections and liability definitions. This bill provides that.

Now, I have heard some in the media and some even in this building who have said this is a pared-down skinny bill. Only in Washington, DC, is a \$300 billion piece of legislation considered skinny—only here. Over and over again at home, when I talk to people across the State of Oklahoma and I would present what has already been done in the previous acts—the \$3 trillion that have already been spent on COVID in the months before and the proposals that we have now—they would quietly pull me aside at the end of the meeting and they would say almost exactly the same thing: Where is this money coming from?

People are worried about the virus, but they are also worried about what is coming next. People are used to taking out a loan if there is a major storm or a major life event, knowing I have to take this loan out to get through it, but they also realize that for every loan they take out, they have to pay that back. The people in my State are saying the same thing: Where is this money coming from? How are we ever going to pay it back? And they are shocked that the House of Representatives and many in this room are pushing a bill that is \$3.5 trillion in spending on top of the \$3 trillion that was already spent earlier this year, and they just gasp when they think about an additional \$6.5 trillion of deficit in a single year. They wonder what happens with that, and I respond to them: So do I. That is why we are trying to be as tailored and as focused as we can possibly be to meet the needs that need to be done but to not just throw a big

number out and to say we have to go big. We already have gone big earlier this year.

Now, it is not just “can we throw money out the door from Washington, DC,” but it is “what do we have to do to get to the other side of this for our health, for our students, for the basic operations of our economy and survival to be able to get on the other side of this,” because on the other side of this is a bill that has to be paid.

We, in this body, should pay attention to that because, certainly, the people in Oklahoma are paying attention to that and so should we. There are things that need to be done, and I look forward to bringing this up to be able to focus on the essential things that need to be done for our economy right now and be able to keep moving from there.

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

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

#### COVID-19 VACCINE

Mr. ALEXANDER. Madam President, this morning, our Health, Education, Labor, and Pensions Committee had a hearing, and one of the members came up to me on the floor and said: That was the most civil hearing I have attended in the Senate in a while. The truth is that most of our hearings in the Health, Education, Labor, and Pensions Committee are civil. We have Senators of widely different points of view.

I thank Senator MURRAY, the Senator from Washington State, who is the ranking member of our committee and a member of the Democratic leadership, for the way that she and the Democratic members of the committee worked with the Republican members so that we can have the Surgeon General of the United States, Dr. Adams, and Dr. Francis Collins, the head of the National Institutes of Health, who is one of our country's most esteemed scientists and the man who headed the human genome project, there for 3 hours and we can ask questions. Virtually every Senator participated, and we got some good answers.

I would like to report to the other members of the Senate about that hearing. I began it by saying: I have been rereading the book “Guns, Germs, and Steel,” a book by Jared Diamond, written in 1997, which is as relevant today—maybe more relevant today—than it was when he wrote it.

Mr. Diamond, who won the Pulitzer Prize and is a professor of geography in California, said: There is nothing new about mass epidemics that causes deaths and social upheaval that we are witnessing today, and there is nothing new about where most of those

epidemics in history have come from. Diseases that caused those deaths for the last 10,000 years, he says, have come mostly from animals that transmit them to humans, and during most of history, there were three ways to deal with these epidemics.

One was to isolate the infected, as in, for example, leper colonies to deal with leprosy. One was, according to Mr. Diamond, that over thousands of years, there have been genetic changes in the human population in response to the infectious diseases that have gone through those populations, and they have produced a resistance to the infectious diseases, as in the case of smallpox. Of course, that didn't do much to help the Native Americans in this country when European settlers, who had some resistance to smallpox, arrived here and gave blankets to the Native Americans that were infected with smallpox or contained smallpox and wiped out 90 percent of the tribes who received them because they didn't have that resistance.

There is a third way of dealing with epidemics. Throughout most of history, the most common way was to let the epidemic run through the population until everyone had been either killed or recovered and developed some resistance to the disease. Diamond says that the Black Death killed about one-third of Europe's population between 1347 and 1351 as it ran through the population killing people.

Now, what is new about dealing with epidemics is modern medicine. Modern medicine has given us ways to diagnose these diseases and to create treatments to make it easier to recover from these diseases, but the true miracle of modern medicine is the vaccine—a vaccine that can prevent humans from acquiring the disease at all. The Senator from Tennessee and I have actually worked together on that issue 2 or 3 years ago to encourage people, and, in her words, talk to your doctor if you have a concern about a vaccine. That is what we want to talk about today.

Today, in all 50 States and the District of Columbia, school children are required to take vaccinations for a series of diseases—diphtheria, tetanus, whooping cough, measles, rubella, and chicken pox—before entering school.

That vaccination will protect the child from getting the disease, which in turn prevents the child from infecting someone else—a pattern that eventually causes these diseases to disappear.

Americans of my generation remember how polio terrified our parents in the early 1940s and into the 1950s. Many saw their children die of polio. When I was very young, I can remember classmates who were strapped into iron lungs so they could breathe and were destined to stay there for the rest of their lives. The lucky ones were like Majority Leader MITCH MCCONNELL, who was left only with a limp after having polio in the 1940s.

The disease terrified Americans until Dr. Jonas Salk discovered the polio