

The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant bill clerk read the nomination of Roderick C. Young, of Virginia, to be United States District Judge for the Eastern District of Virginia.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant bill clerk read the nomination of Jocelyn Samuels, of Maryland, to be a Member of the Equal Employment Opportunity Commission for a term expiring July 1, 2021.

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

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

Mr. MANCHIN. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from West Virginia (Mrs. CAPITO), the Senator from Wisconsin (Mr. JOHNSON), and the Senator from Kansas (Mr. MORAN).

Mr. DURBIN. I announce that the Senator from California (Ms. HARRIS) is necessarily absent.

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

The result was announced—yeas 54, nays 42, as follows:

[Rollcall Vote No. 193 Ex.]

YEAS—54

Alexander	Gillibrand	Peters
Baldwin	Graham	Reed
Bennet	Grassley	Rosen
Blumenthal	Hassan	Sanders
Booker	Heinrich	Schatz
Brown	Hirono	Schumer
Cantwell	Jones	Shaheen
Cardin	Kaine	Sinema
Carper	King	Smith
Casey	Klobuchar	Stabenow
Cassidy	Leahy	Tester
Collins	Manchin	Tillis
Coons	Markey	Udall
Cornyn	Menendez	Van Hollen
Cortez Masto	Merkley	Warner
Duckworth	Murkowski	Warren
Durbin	Murphy	Whitehouse
Feinstein	Murray	Wyden

NAYS—42

Barrasso	Enzi	Loeffler
Blackburn	Ernst	McConnell
Blunt	Fischer	McSally
Boozman	Gardner	Paul
Braun	Hawley	Perdue
Burr	Hoeben	Portman
Cotton	Hyde-Smith	Risch
Cramer	Inhofe	Roberts
Crapo	Kennedy	Romney
Cruz	Lankford	Rounds
Daines	Lee	Rubio

Sasse	Shelby	Toomey
Scott (FL)	Sullivan	Wicker
Scott (SC)	Thune	Young

NOT VOTING—4

Capito	Johnson
Harris	Moran

The nomination was confirmed.

The PRESIDING OFFICER. The Senator from Tennessee.

CORONAVIRUS

Mr. ALEXANDER. Madam President, I come to the floor to talk about COVID in two ways. The Senator from Tennessee, who is presiding today, will appreciate this. She and I have a regular call with Governor Lee, our Governor, and we just finished part of it. Her staff was on part of that.

He gave some very interesting information that I think would be important to all Senators and to our country, and that is the significant learning loss that occurs when children aren't in school. In Tennessee, Governor Lee and some national researchers have completed a study of the learning loss in the third grade for reading and math proficiency for children who were not in school from March through the summer.

Now, you always have a learning loss in the summer, but for March through summer, this is what they found. Preliminary data shows an estimated 50-percent decrease in proficiency rates in third grade reading and a projected 65-percent decrease in proficiency in math. That, in the Governor's words, is a dramatic decrease. It shows that the vast majority of students learn in person, the Governor said, with their teacher, and he is working to get a safe environment so that they can get back to school.

The good news on that is, according to the Governor, 1,800 schools in Tennessee are open, in person, and only 7 of those schools have any sort of closure incident today—in other words, one class or one school closed because of COVID. So, this problem we are just discussing, hopefully, will not be as pronounced this semester in Tennessee because, except in Memphis and except in Nashville, almost all of our schools are open in person to some degree.

The Governor went on to say that the March through the summer school closings produced a learning deficiency that is expected to be 2.5 times that of a normal summer rate. He also said the learning loss impacts early grades greater than later grades, placing those students further behind in the learning trajectory. Students with lower proficiency rates are also disproportionately impacted by learning loss. In other words, students who are already behind fell behind even further as a result of leaving school in March.

Then it shows that the research from the Organisation for Economic Co-operation and Development, which worked with the Governor on these, shows that each additional year of schooling increases life income by an average of 7.5 to 10 percent. And with the loss of one-third of a year in effective

learning—which is what we just heard about for just the students affected by the closures—that organization estimates it would lower a country's gross domestic product by an average of 1.5 percent for the remainder of the century.

I don't know whether those numbers are exactly accurate, but the message is clear. Children, especially young children and especially young children who are further behind already, need to be in school so that they can be taught in person or their learning loss is dramatic.

I ask unanimous consent to include in the RECORD the press release that Governor Lee of Tennessee released detailing this dramatic learning loss.

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

TENNESSEE RELEASES DATA SHOWING SIGNIFICANT LEARNING LOSS AMONG K-12 STUDENTS PROJECTED LOSSES TIED TO PROLONGED SCHOOL CLOSURES AND TIME AWAY FROM CLASSROOM

NASHVILLE, TN—Tennessee Governor Bill Lee and the Tennessee Department of Education today released estimated data regarding learning loss for Tennessee students resulting from COVID-19 school closures through the summer months. Preliminary data projects an estimated 50% decrease in proficiency rates in 3rd grade reading and a projected 65% decrease in proficiency in math.

"This data highlights the immense challenges that the COVID-19 pandemic has created for our students and educators," said Gov. Lee. "The vast majority of students learn best in-person with their teacher, and we'll continue to help provide a safe environment for Tennessee students to get their educational journeys back on track."

While many students traditionally experience learning loss over the summer, projections show that learning loss from March school closures through the summer is expected to be 2.5 times that of a normal summer rate. Projections were developed in partnership with national researchers using historical, Tennessee-specific data to provide additional learning loss estimates based on the extended school closures.

"We know that increased time away from school has negative implications for students, which is compounded during extended building closures," said Tennessee Commissioner of Education Penny Schwinn. "The department is focused on ensuring we provide essential services and resources to mitigate learning loss and keep students on a path to success this new school year."

The learning loss impacts early grades greater than later grades, placing these students further behind in the learning trajectory as they progress through school. Students with lower proficiency rates are also disproportionately impacted by learning loss, further exacerbating existing achievement gaps.

Research from the Organisation for Economic Co-operation and Development on the economics of education shows that each additional year of schooling increases life income by an average of 7.5-10%. Further, a loss of one-third of a year in effective learning for just the students affected by the closures of early 2020 will, by historical data, lower a country's GDP by an average of 1.5% over the remainder of the century.

Mr. ALEXANDER. Today, our committee—the Health, Education, Labor, and Pensions Committee—had its last

hearing of the year, and it was my last hearing as chairman of the committee. While we are on the theme of education, one of the interesting—and I am here today to give a little report on what I consider to be an unprecedented sprint toward success in three areas: vaccines, treatments, and diagnostic testing.

I asked Dr. Fauci, who was one of the witnesses, this question: Dr. Fauci, there are a lot of outbreaks on college campuses around the country as millions of students go back to thousands of colleges. Is the right thing to do to send the students home?

He said: Absolutely not. That is the wrong thing to do. Segregate the students from the other students in the college until they are well—and the people they have exposed until they are well—and then go on. Don't send them home to infect their parents and their grandparents and the community from which they came.

I think that is important advice for the college administrators all over America who are dealing with this issue very bravely. I know at the University of Tennessee they had a big outbreak. It was some poor judgment on behalf of a number of students who had just gone back to school. You can just imagine 18-, 19-, and 20-year-olds, they all want to get together. Well, they got together, and they infected one another, and they had a big outbreak—maybe 750, the Governor said, but it is now down to 150.

So Dr. Fauci's advice to the school administrators is this: Isolate them, segregate them, track them, and don't send them home.

The hearing today included Dr. Fauci and Dr. Redfield from the Centers for Disease Control. It included Admiral Giroir, who is in charge of testing, and it included Dr. Hahn, who is the head of the Food and Drug Administration.

Here was the first question I asked Dr. Hahn, who is the only person who knows when the vaccines that are being developed will be distributed. He doesn't really know because he doesn't know the date, nor do any of the career scientists at the FDA know the date when the data will show that the vaccine is safe and effective, and it will not be distributed until it is.

So I said to Dr. Hahn: Who makes the decisions at FDA? Do you make the decisions? Do the career scientists make the decisions? Or does the White House make the decisions about safety and effectiveness of a vaccine?

He said: The career scientists make the decisions. The White House does not, and I will not make a decision about the safety and effectiveness of vaccines unless the career scientists and I agree that it is safe and effective according to independent and transparent data.

I asked Dr. Fauci this question. I said: Dr. Fauci, you have been around a while. You came on in the Reagan days. You have been in your job as head of infectious diseases since 1984.

Here is my question: Is this administration cutting corners on safety and efficiency?

Dr. Fauci said: Absolutely not.

I asked all four of the witnesses: If the vaccine is approved by the FDA, would you take it, and would you recommend your family take it?

They said yes, that they had great confidence in the FDA.

Here is a summary of what they told us today. Let's start with vaccines:

According to the administration, it is already manufacturing tens of millions of doses of six vaccines, and by the end of the year, there will be tens of millions of doses of these vaccines already manufactured, ready to distribute—first, of course, to the priority individuals, those who are most vulnerable, healthcare workers, and others.

Then, according to the administration, they expect to be able to produce 300 to 700 million doses of vaccines by March or April of next year. That is unprecedented.

When I was a kid, we were terrified by polio. I had classmates who were in an iron lung and parents who were worried their children might be just as well. It took 10 years to get a polio vaccine, and polio is now eradicated.

For most of the vaccines that our children take before they go to school—like mumps, measles, and chickenpox—you have to take these vaccines in all 50 States and the District of Columbia before you go to school. Most of them took 10 years to develop.

If the optimism of the administration—they call it Operation Warp Speed—is accurate, vaccines will have been manufactured, and they are optimistic that at least one of them will be approved before the end of the year. They know they will be manufactured because they are already doing that.

They don't know for sure, and they say: There is no guarantee of success, but we are optimistic that we will reach a goal that once was considered impossible and now seems likely.

In other words, instead of waiting 10 years for a vaccine to save lives, this vaccine for COVID-19 will be developed in less than a year if it is approved before the end of the year.

That is an unprecedented success story, and it is only possible for a variety of reasons, which I will go into in a minute.

The same is true with treatments. There are five treatments—medicines—for those who have contracted COVID-19. That is especially interesting to teachers and faculty members at schools and colleges. The children don't seem to get as sick, but the older teachers could, and they do get sicker. So it helps to know that there is a treatment for COVID if you get sick.

What we are told by Dr. Fauci, Dr. Redfield, Dr. Hahn, and others is that they are cautiously optimistic that new treatments will be available in the next few weeks—specifically, the monoclonal antibodies, the antibody

cocktails that were developed and used during the Ebola crisis to help prevent and cure it.

If these work—and, again, they only can be approved based on data from the FDA. They are not approved yet. They are in clinical trials, but late clinical trials. If they are approved in the next few weeks, then, if you come down with COVID, you will have an antibody cocktail that, in the case of the Ebola, proved to prevent and help cure it.

Knowing that these vaccines are being manufactured and are likely to be approved by the end of the year and that treatments will be broadly available by the end of the year, in addition to the five that now exist, should help give Americans more confidence in going back to school, back to college, back to childcare, back to work, and out to eat.

Then, there is a third success story, and that is diagnostic testing. The United States got off to a bumpy start with diagnostic testing. The first CDC test flopped, and we lost some time. But since then there has been an explosion of diagnostic testing.

Today, we have a capacity to deal with 90 million tests a month. Abbott Laboratories has announced that in October, it will produce 50 million rapid tests. You can get a result in 15 minutes with a higher degree of specificity—that means accuracy—and it costs \$5. The administration has bought 150 million—the whole output—for the first 3 months of Abbott Laboratories' fast tests and is in the process of distributing them to nursing homes, schools, colleges, childcare centers, and States.

I was able to say to the Governor that if Tennessee gets its rough share of 2 percent of 150 million tests, that is a lot of tests for the State of Tennessee to be receiving over the next few weeks.

Again, the importance of that is, between now and the time a vaccine is administered and treatments are widely available, the surest path back to school, back to work, and out to eat is an oversupply of diagnostic testing so you could have it whenever you want.

Just as Governor Lee was saying, we have 1,800 schools open in person, Nashville and Memphis worrying about whether they should open. I think if the teachers knew they had more treatments and if they could test whenever a class needs to test—a whole class—and do surveillance testing, that people would be safer and feel better about going back to school.

The same would be true with the colleges and universities. If there is a breakout of 750 cases at the University of Tennessee and you can quickly do random surveillance testing of an entire dorm or a dorm floor or a class of students, then you can feel better about keeping the place safe.

The hearing was a good hearing. During the hearing, I thanked Senator MURRAY, my partner over the last 6 years, the ranking Democrat. She is a

member of the Democratic leadership. She is pretty tough when she wants to be. Because she is, I like working with her, and we have been able to do a lot with our committee.

We have 23 members on our committee. I thanked them today. I said, Senator Ted Kennedy used to say that we have the broadest jurisdiction of any committee in the Senate. I think we have the broadest range of views in the Senate of any committee. We have some very able advocates of those diverse points of view, and still, we have a very impressive record from fixing No Child Left Behind to 21st Century Cures, to the opioids bill, to passing important bipartisan legislation that is good for the country.

President Obama called the Every Student Succeeds Act a Christmas miracle. Senator MCCONNELL said the 21st Century Cures Act was the most important law of that Congress.

I thanked Senator MURRAY and all the Democrats and Republicans on the committee for creating an environment where we can have our differences of opinion but still get important results.

There was one other thing we discussed that I would like to mention. I see my friend from Connecticut on the floor. I know he wants to speak, and I will get out of the way so he can do it. But there were actually two things I wanted to briefly summarize, and then I will ask to put my statement into the RECORD.

One was that the New York Times said on March 1, that the United States was as well prepared as any country for COVID. To the extent that was true, it was because of several Presidents and several Congresses doing such things as, in 2012, authorizing three standby manufacturing plants for vaccines. Of Operation Warp Speed, Dr. Slaoui, who is their principle adviser, said that they could not be producing four of those vaccines if those plants had not been put in place back then.

In addition, earlier Congresses created more authority for the FDA, for example, to do emergency-use authorizations, which Dr. Hahn has used expertly. They have given the NIH record funding for 5 years in a row and new authority. All of this authority has been put to work by this administration to do what I would call an unprecedented sprint toward success on vaccines, treatments, and tests without cutting corners on efficacy and safety. There is a risk, but the risk is to the taxpayers.

The reason things are going so fast is because they are doing everything in parallel. They are manufacturing while they are developing the vaccine and while they are reviewing whether it is safe and effective.

Then, at the end of that process—say, at the end of this year—if it is effective, we are ready to distribute it. The States have been asked to get ready. If it is not safe, if it is not effective, then, we lose the money. The taxpayers lose the money.

I think most of us would be glad to lose that money if the result was that one or more of those vaccines turned out to be the one that produces 300 to 700 million doses of vaccines that are safe and effective as we move into the new year.

There is a lesson from all of this, and that is that the earlier Congresses and Presidents were visionary in this respect: They built those standby manufacturing plants. They created BARDA. Senator BURR from North Carolina was one of the leaders of that, for example. Without that, we wouldn't have this explosion of vaccines, treatments, and tests on the way. We need to do that again.

Senator Bill Frist, the former majority leader, testified before our committee with some others. He said we go from panic to neglect to panic, and we don't do the hard things we need to do after the epidemic is over.

The hardest thing to do is sustained funding. So we need sustained funding for manufacturing plants so they don't go cold while we wait for the next pandemic. We need sustained funding for our stockpile so they are not depleted by budget problems. We need sustained funding for the strategic stockpile, and we need sustained funding for our State and local public health agencies, which are about 50 percent supported by Federal dollars.

Sustained funding is something we don't do very well—that means mandatory funding that needs advanced appropriations. We like to do it year by year. But if we don't do it, you can see what it costs us: 200,000 lives we lost already and \$3 trillion we have already spent. So a little sustained funding to prevent the next pandemic would be a very wise investment, and we ought to do it now while we have our eye on the ball.

Jared Diamond, who wrote "Guns, Germs, and Steel," pointed out in a recent article in the Wall Street Journal that, in his opinion, what is different about this vaccine is the jet plane—that people can fly from Wuhan to San Francisco or from San Francisco to Nashville, and pretty soon, suddenly, this is spreading all over the world. Jared Diamond said that the next pandemic could be next year. We hope it is not, but it could be, and we should be ready for it.

So I wanted to report to the American people and to my colleagues in the Senate that we hear a lot about problems, but I think it is important to know that vaccines are being manufactured, that the decisions are going to be made by scientists about when they are ready to distribute, that the States have been asked to get ready, that there are more treatments coming, likely, and that there has been an explosion of diagnostic tests. So, really, there should be plenty of diagnostic tests for anyone who wants to use them before very long in the United States. My theory has been for a long time that as soon as we had an oversupply,

we wouldn't have a problem or an issue.

I thanked those four witnesses, Senator MURRAY, and my Republican and Democratic colleagues for monitoring this COVID-19. I am glad the hearing was broadly carried for 2 hours on many television networks.

I hope it gave the American people some relief and sense that our chances of going back to school, back to college, back to childcare, back to work, and out to eat are increasingly good. It is very simple: Wear the mask, wash your hands, stay apart, and keep this unprecedented sprint toward vaccines, treatments, and diagnostic tests going.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

CORRECTING THE ENROLLMENT OF S. 2330

Mr. BLUMENTHAL. Madam President, as if in legislative session, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Con. Res. 46, which was submitted earlier today.

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

The clerk will report the concurrent resolution by title.

The bill clerk read as follows:

A concurrent resolution (S. Con. Res. 46) to correct the enrollment of S. 2330.

There being no objection, the Senate proceeded to consider the resolution.

Mr. BLUMENTHAL. I further ask that the concurrent resolution be agreed to and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The concurrent resolution (S. Con. Res. 46) was agreed to.

(The concurrent resolution is printed in today's RECORD under "Submitted Resolutions.")

The PRESIDING OFFICER. The Senator from Rhode Island.

REMEMBERING JUSTICE RUTH BADER GINSBURG

Mr. REED. Madam President, I rise today to honor the life of Justice Ruth Bader Ginsburg and to express my grave concerns at rushing to fill this Supreme Court vacancy rather than focus on the pandemic and its health and economic devastation.

The passing of Justice Ginsburg is a monumental loss for our country, but she will leave an indelible mark as a historic and brilliant jurist, civil rights trailblazer, and personal hero to countless people. We can all take inspiration from her stalwart and lifelong crusade for equality, shaped by her own struggles facing gender discrimination as a young lawyer, despite her outstanding education and obvious talent.

Notably, one of her first and most important rulings as a Supreme Court Justice was when she wrote the majority opinion that struck down the male-