

on every court, both the Supreme Court and other courts in the land, and I have voted against some as well. I take the admonition of the Constitution seriously. I don't take a person's religion into account when I cast a vote when it comes to a judge, nor should anyone if they follow this Constitution.

One last point I would like to make that was clearly wrong: When it came to the scurrilous and disgusting attacks on the adopted children of this nominee, the Senator from Louisiana spoke up against them, and so did I on the Democratic side. They are unacceptable on either side of the aisle, and for any Senators to suggest otherwise tells me he did not listen to the hearing itself.

I condemn the attack on her family, and I repeat that condemnation on the floor of the Senate today. For that Senator to ignore that fact troubles me greatly. I count him as a friend. I hope when he reads the record of the actual proceedings before the Senate Judiciary Committee, he will come and clarify and correct his remarks.

CORONAVIRUS

Madam President, the last point I want to make—and I know we have a vote in a few minutes—is this: If you ask the American people “What is the business of the Senate for the next 5 days?” I don't think anyone, if they follow it closely, would ever guess the business that we are about.

We live in a country now where 222,000 people have died from this COVID-19 pandemic—222,000. Eight million have been affected. A country that represents 4.5 percent of the world's population, the United States counts for 20 percent of all the COVID-19 deaths in the world. Sadly, it is getting worse before it gets better.

In the State of Illinois, the Governor announced yesterday that because of the increased incidence of infection from COVID-19 in the four major counties surrounding the city of Chicago, we have to close down restaurants and other establishments. It is heartbreaking. I know what it means to these business owners. But it is also heartbreaking to read the numbers day in and day out of what this COVID-19 virus is doing in America—not just to the poor hapless souls who are infected and some dying but to the economy of this country.

Wouldn't you think that would be the focus of business on the floor of the U.S. Senate? Wouldn't you think that the Senate majority leader, Senator MCCONNELL from Kentucky, who controls the business of the floor, would make that job one for all of us and stick together on a bipartisan basis to come up with an agreement before we did anything else? Well if you guessed that, you are wrong, because for the next 5 days, we will be consumed with filling one Supreme Court vacancy. He is determined to fill that vacancy at any cost, including ignoring the major issue of our time, the major issue of

the moment—the pandemic, which affects this country so gravely.

We have lost 222,000 souls, sadly, in America, and it is estimated that it may reach half a million by January 1. What a heartbreak. And we are here spending 5 straight days not dealing with COVID-19 relief, not providing the testing that is needed, not providing unemployment benefits to those who lost jobs, not providing help to small businesses—no. We are focused on one nomination for one vacancy in the Supreme Court. As important as that may be in the ordinary scheme of things, we are not in the ordinary scheme of things. We are dealing with an extraordinary pandemic, which is causing grave damage to this country, to its families, and to our economy. The President may not take it seriously. Obviously the Senate Republicans don't take it seriously. If they did, they would be engaged.

I cannot explain or even imagine how he explains why Senator MCCONNELL refuses to sit down for the negotiations for COVID-19 relief. That is right. They have had negotiations that have involved Senator SCHUMER, Speaker PELOSI, Treasury Secretary Mnuchin, and the President's Chief of Staff, and Senator MCCONNELL refuses to attend those negotiations where they are trying to come up with a bipartisan measure to help us through this crisis. All he does is offer throwaway votes on the floor, take-it-or-leave-it votes on the floor that don't have any bipartisan route to them. They come to us because he wants to have a symbolic rollcall—a symbolic rollcall—for his Members to take home and say: Well, I tried.

No, you didn't try.

If for 5 straight days we do nothing about COVID-19 and focus exclusively on this nominee, how in the world will any Senator explain that was the American priority of the moment? It is not. The American priority of the moment is not this vacancy on the Supreme Court; it is the fact that there are vacancies in homes across America from 222,000 deaths in this country, and they continue apace every single day.

We ought to be coming together on a bipartisan basis. The person who should be leading us in the Senate is the Senate Republican leader. He does not, and as a consequence, we waste our moments here when they should be spent helping America with its highest priority.

I yield the floor.

VOTE ON MOTION TO PROCEED

The PRESIDING OFFICER. The question is on agreeing to the motion to proceed to legislative session.

The yeas and nays were previously ordered.

The clerk will call the roll.

The bill clerk called the roll.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Florida (Mr. RUBIO).

Mr. DURBIN. I announce that the Senator from California (Ms. HARRIS), the Senator from Alabama (Mr. JONES), and the Senator from Arizona (Ms. SINEMA) are necessarily absent.

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

The result was announced—yeas 45, nays 51, as follows:

[Rollcall Vote No. 210 Ex.]

YEAS—45

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

NAYS—51

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

NOT VOTING—4

Harris	Rubio
Jones	Sinema

The motion was rejected.

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 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 Michael Jay Newman, of Ohio, to be United States District Judge for the Southern District of Ohio.

Mitch McConnell, Chuck Grassley, John Boozman, Lindsey Graham, Mike Crapo, Marsha Blackburn, Tim Scott, Roy Blunt, Mike Rounds, Pat Roberts, John Cornyn, John Thune, Todd Young, Lamar Alexander, John Hoeven, Thom Tillis, Cindy Hyde-Smith.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Michael Jay Newman, of Ohio, to be United States District Judge for the Southern District of Ohio, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.