

Finally, right now, our Nation is facing truly trying times. Two hundred thousand lives have been lost to COVID, millions are unemployed, and we just lost a treasured American hero, Justice Ruth Bader Ginsburg.

So much hangs in the balance now, and people are already voting and organizing to make sure their healthcare, their rights, and their futures are protected in this election.

For those nationwide who have already cast their ballots and who will vote in the coming weeks for the future of our country and to help ensure trust—trust in our democracy—the people must have a vote in this nomination.

The next President should choose Justice Ginsburg's replacement as she wished to spare our democracy the painful chaos of making such a decision so close to an election.

People are speaking out, and the Senate must listen, as Majority Leader MCCONNELL insisted only a few years ago. But, unfortunately, it seems like my colleagues on the other side are content to ignore these cries, just like they have neglected the cries of our constituents for a COVID-19 relief package that meets this moment instead of shortchanging our communities because nothing—nothing is more important than pushing through their ideological agenda to jam as many partisan judges on the bench as possible, especially on the Supreme Court, and tip the balance of our Federal judiciary even further against everyday people, packing our courts to ensure we can't make progress to defend affordable healthcare and pre-existing conditions protections or addressing the climate crisis or strengthening protections for workers or doing anything on the critical issues that people in my home State of Washington and around the Nation care so deeply about and that have been blocked time and again by the Republican Party.

I will be doing absolutely everything I can to make sure everyone from Washington State to Washington, DC, and my Republican colleagues here in Congress know just how much is at risk if President Trump gets to appoint another hard-right nominee an unprecedented 41 days before a Presidential election.

It is truly impossible to understate the consequences for families and communities across the country now and for generations to come. President Trump has made it clear he wants a nominee who will gut protections for preexisting conditions, who will take healthcare away from millions of people nationwide, and do everything they can to undermine basic rights and freedoms and protections through the Court, including crucial worker protections that Justice Ginsburg, herself, helped secure and the EEOC is tasked with enforcing.

I urge all of my colleagues to join me in voting today to honor an important

part of Justice Ginsburg's legacy and vote for the nomination of Jocelyn Samuels. Then let's keep fighting for people's healthcare, for protections for preexisting conditions, for workers' rights, and voters' rights, and LGBTQIA+ rights, and for the vision of a just and equal country—a just and equal country Justice Ginsburg fought so hard to advance.

Thank you.

I yield the floor.

VOTE ON HINDERAKER NOMINATION

The PRESIDING OFFICER. Under the previous order, the question is, Will the Senate advise and consent to the Hinderaker nomination?

Mr. ALEXANDER. 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.

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

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 70, nays 27, as follows:

[Rollcall Vote No. 191 Ex.]

YEAS—70

Alexander	Grassley	Risch
Baldwin	Hassan	Roberts
Bennet	Hirono	Romney
Blunt	Hyde-Smith	Rosen
Booker	Inhofe	Rubio
Brown	Jones	Sanders
Burr	Kaine	Schatz
Cantwell	King	Shaheen
Cardin	Klobuchar	Shelby
Carper	Leahy	Sinema
Casey	Loeffler	Smith
Cassidy	Manchin	Stabenow
Collins	Markey	Tester
Coons	McConnell	Tillis
Cornyn	McSally	Toomey
Cortez Masto	Menendez	Udall
Crapo	Merkley	Van Hollen
Duckworth	Murkowski	Warner
Durbin	Murphy	Warren
Ernst	Murray	Whitehouse
Feinstein	Perdue	Wicker
Fischer	Peters	Wyden
Gillibrand	Portman	
Graham	Reed	

NAYS—27

Barrasso	Enzi	Paul
Blackburn	Gardner	Rounds
Blumenthal	Hawley	Sasse
Boozman	Heinrich	Schumer
Braun	Hoeven	Scott (FL)
Cotton	Kennedy	Scott (SC)
Cramer	Lankford	Sullivan
Cruz	Lee	Thune
Daines	Moran	Young

NOT VOTING—3

Capito	Harris	Johnson
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The nomination was confirmed.

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 Roderick C. Young, of Virginia, to be United States District Judge for the Eastern District of Virginia.

Mitch McConnell, Mike Braun, Mike Rounds, Marsha Blackburn, Todd Young, Cindy Hyde-Smith, Lindsey Graham, Marco Rubio, Tim Scott, Chuck Grassley, Kevin Cramer, Lamar Alexander, Pat Roberts, John Boozman, John Cornyn, Mike Crapo, James E. Risch.

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 Roderick C. Young, of Virginia, to be United States District Judge for the Eastern 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 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 Arizona (Ms. MCSALLY).

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 yeas and nays resulted—yeas 93, nays 3, as follows:

[Rollcall Vote No. 192 Ex.]

YEAS—93

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

NAYS—3

Blumenthal	Hirono	Schumer
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NOT VOTING—4

Capito	Johnson
Harris	McSally

The PRESIDING OFFICER. On this vote, the yeas are 93, the nays are 3.

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