

now that the shoe is on the other foot, Democrats are ready to hit the big red button and go nuclear. And, I must say, once you go nuclear around here, you certainly don't go back.

But Senator DURBIN's views aren't the only ones that have changed on this matter. As I mentioned, former Senator and now President Joe Biden finally changed his views as well. For decades, he was a staunch defender of the institution. When he was asked about removing the filibuster, going nuclear, he said:

This nuclear option is ultimately an example of the arrogance of power. It is a fundamental power-grab by the majority party.

Well, that is certainly not mincing your words. And this isn't some long ago abandoned view of his. In January of this year, President Biden was asked if he could move his agenda with the filibuster rules intact, and he answered yes and explained the opportunities to work together on shared priorities, as he did throughout his career as a U.S. Senator.

He went on to add:

I think we can reach consensus on that and get it passed without changing the filibuster rule.

But now the pressure has been put on both President Biden and the Democratic leadership in the Senate to endorse a rules change, not by the ordinary course of rule changes but by the nuclear option. We know that there are unpredictable consequences of changing the rules in a place where your power, where your majority, is never guaranteed. Chipping away at the rights of the minority may help you today, but you will live to regret it when the shoe is on the other foot.

But it won't take a shift in the majority for our Democratic colleagues to see the disastrous consequences of going nuclear on the filibuster rule because, if anybody needed a reminder, we have a 50-50 Senate: 50 Democrats and 50 Republicans.

Yesterday, Senator MCCONNELL, the Republican leader, somebody who has been around this institution a long time and understands it better than almost anybody I know, reminded our colleagues that "[t]his is an institution that requires unanimous consent to turn the lights on before noon."

Unanimous consent is literally the grease that helps the machine run. In order to accomplish even the most mundane tasks in the Senate, you need an agreement. Most of the time it is easy because it is not controversial; it is not partisan; it is the right, practical thing to do. But you need compromise, and you need a quorum.

This rules change being floated wouldn't clear a path for productivity in the Senate. It is an invitation to futility. If our Democratic colleagues take the unprecedented step of blowing up the filibuster, they can expect to be met with an unprecedented response.

Republicans will not sit idly by while Democrats take an axe to the rules in order to advance a partisan agenda. If

Democrats go down this road, they will have no one to blame but themselves for the consequences of a horrible miscalculation.

#### NOMINATION OF XAVIER BECERRA

Mr. President, on another matter, as we know, it has been more than a year since the term "COVID-19" became a part of our daily vocabulary. Over this last year, families have lost loved ones, millions of workers have lost their jobs, Main Street businesses have shuttered, and our healthcare workers have endured unimaginable stress and heartbreak.

One year ago, the majority of Americans were hunkered down at home in order to stop the spread of this deadly virus, and today, while we continue to follow the commonsense public health guidelines to stop the spread of the virus, we are finally experiencing some hope. With three successful vaccines now being administered throughout the country, the light at the end of the tunnel gets bigger and brighter every day. I know we are all grateful for that.

More than 27 percent of Americans 18 and up have received at least one dose of the vaccine. That includes nearly two-thirds of people over the age of 65, one of the most vulnerable cohorts. We have every reason to be optimistic that brighter days are ahead, but we are not out of the dark yet.

In the coming months, we need sound leadership from public health officials who have the experience and the expertise to guide us through these final, critical months. Unfortunately, President Biden has nominated someone who is unprepared to lead that charge.

The President has chosen Xavier Becerra to be his Secretary of Health and Human Services. As we know, the Secretary of Health and Human Services is one of the top generals in the war against COVID-19. The Department coordinates the healthcare providers, State and local officials, researchers, and the American public to respond to a crisis like this. For everything from COVID-19 testing to treatment and therapeutics, to vaccinations, HHS is actually in charge.

The Department disburses funding. It determines how many vaccines go to each State. It leads efforts to boost public confidence in the vaccine and so much more, but that is not even including the long list of nonpandemic responsibilities for the Department, including everything from overseeing Medicare and Medicaid to regulating prescription drugs.

So what life experience does Mr. Becerra have that makes him qualified to lead these efforts? Well, he is not a doctor. He is not a public health expert. He has never even worked in a role that is remotely related to healthcare. In fact, his only semirelevant experience is the range of lawsuits he has filed as attorney general of his home State of California.

Mr. Becerra led a group of attorneys general in opposing the Texas lawsuit

Texas v. Azar. The case attempted to reinstate the individual mandate penalty which was removed by the Tax Cuts and Jobs Act. He also led a case attempting to overturn protections for religious groups, such as the Little Sisters of the Poor, that don't offer coverage for contraceptives in their group health insurance plans. He sued them. Well—no surprise—the Supreme Court ultimately ruled 7 to 2 in favor of the Little Sisters of the Poor.

And, as we know, Mr. Becerra's radical policy objectives date long before his time as attorney general. As a Member of the House, he took extreme views on abortion. He opposed legislation that would ensure that babies who were born after a botched abortion would receive medical treatment, just like any other patient.

He opposed a bill to prevent taxpayer dollars from being used for abortions, the Hyde amendment, which has been bipartisan consensus for at least since the late seventies. He even opposed legislation to make it a crime to harm or kill an unborn child during the commission of a violent crime. In 38 States, including his State of California, they already have similar protections, but he opposed legislation to do it.

Unlike the majority of President Biden's nominees who received bipartisan support by both the committees of jurisdiction and the full Senate, there is no bipartisan chorus singing the praises of Mr. Becerra. Put simply, he is a partisan warrior who lacks the experience to lead HHS during normal times, let alone during a pandemic.

We are at the 10-yard line in the pandemic. Now is not the time to give the punter a chance to try out his quarterback just because he happens to be friends with the coach.

I would oppose the nomination of Mr. Becerra and encourage my colleagues on both sides of the aisle to do so as well. The American people deserve an experienced Health and Human Services Secretary, and this nominee does not fit the bill.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

#### SUNSHINE WEEK

Ms. ERNST. Mr. President, it has been a year now since the outbreak of a novel coronavirus in Wuhan, China. It put the world into an unprecedented global lockdown, and we are still in the dark about how the pandemic even began.

Folks, this isn't entirely an accident. The virus emerged in one of the world's most closed societies, ruled by a ruthless authoritarian regime with no tolerance for truth or transparency. And, even today, after 2½ million people around the world have died, the Communist Party of China refuses to fully cooperate with efforts to learn how COVID-19 made the cross-species jump from bats to humans. Finding the source isn't about assigning blame; it is about understanding the cause and preventing a similar occurrence from happening again.

Here is what we do know: COVID appeared in the vicinity of the Wuhan Institute of Virology, a laboratory where studies were being conducted on bat coronaviruses. After the outbreak began, Chinese officials ordered the destruction of coronavirus samples. In the months just prior to the first case of the new pathogen being publicly identified, researchers at this state-run lab reportedly became sick with COVID-like symptoms.

Years ago, U.S. officials who visited the institute sent warnings back to the State Department that studies were being conducted on dangerous coronaviruses from bats that could be transmitted to humans in a lab which had “serious” safety problems.

Some of that research was even being subsidized by U.S. taxpayer dollars, including a study published less than 2 years before the pandemic that found the first evidence that humans could be infected with coronaviruses from bats. You heard that correctly, folks. Your tax dollars were paying for dangerous studies on coronaviruses in a lab in China that our own government officials had warned was unsafe.

This all raises many questions, the first being, How much were we actually paying for this endeavor? And that should be relatively easy for anyone to discover since a law renewed by Congress every single year requires all projects supported by the Department of Health and Human Services to include a pricetag disclosing the cost paid by taxpayers. But noticeably absent on the study from the Wuhan Institute: the cost.

A review of numerous other projects supported by HHS found that cost information was missing from all of them—all of them. Covering up information that the public has a right to know about might be how things work in Communist China, but it isn't how it should work here in America.

This isn't China, folks. Our laws aren't optional, especially for those who are supposed to be enforcing them.

Maybe we can't force China to be forthcoming, but we should be able to expect our own government to be open and transparent. That is why I am asking the HHS Office of Inspector General to launch an investigation to compel the Department to comply with the law.

I am also introducing legislation to require every project funded with your taxpayer dollars to disclose the cost paid by you. This is just one of the bright ideas to shine some light on how your money is being spent that I will be unveiling this week to commemorate Sunshine Week, the annual celebration of open government.

A transparent government is one of the most fundamental principles that make our government—of the people, by the people, for the people—work. Decisions are made every day in Washington that impact families and communities in Iowa and across the country.

We all benefit when we bring this information to light, especially when it involves how our tax dollars are being spent. That is why I am also working to create an alert system to notify the public whenever a project goes \$1 billion or more over budget or falls 5 years behind schedule.

Some good news: My bipartisan bill was just reported out of committee this morning, so boondoggles, you better beware.

Another bill I will be supporting will require hospitals and insurers to reveal rates to patients before they receive their medical care. This commonsense effort would allow patients to know the costs associated with their healthcare in advance so that they can make informed decisions for themselves and their families.

Finally, I am calling for more transparency from the Department of Education when it comes to COVID spending. Taxpayers should be able to see clearly how well States and school districts are doing at spending tax dollars provided to help schools safely reopen.

Knowledge is the power that allows every citizen to hold those entrusted to make our decisions accountable. After all, the only reason to keep taxpayers in the dark about any of these decisions is because they can't withstand the scrutiny that results when all of the facts come to light.

With the Sun now setting an hour later as a result of daylight saving time, we are all reminded just how much a difference can be made with a little extra sunlight. After all, sunshine is the best disinfectant because to stop waste, we first need to be able to spot it.

With that, I yield the floor.

The PRESIDING OFFICER (Ms. ROSEN). The Senator from Indiana.

#### HEALTHCARE

Mr. BRAUN. Madam President, I have come to the floor several times in the little over 2 years I have been here, and a common theme—and I think we all know it as Senators—is that our healthcare system is broken. It is driven by misaligned industry incentives that promote opaque, behind-the-scenes pricing maneuvers at the expense of patients and healthcare consumers.

Increased transparency is the key to fixing our broken healthcare system. It will allow Americans to have skin in the game and deal directly with their healthcare providers to make informed decisions. They cannot do that very well currently.

Pulling the curtain back on a healthcare system to restore market forces, which aren't really there now, to increase innovation and competition, particularly in regard to price, quality, and service—you do that with anything else. A consumer is engaged, they are informed, and you have many competitors competing for their business.

In order for Americans to regain their sovereignty in a healthcare sys-

tem, you need the ability to be able to navigate accordingly. Congress must act to provide Americans with these tools before we try to throw more government at a broken healthcare system.

Government pays for a portion of healthcare; more is paid through the private sector. If we reform it, it makes it less expensive for both payers. To give you an example, sometimes what you hear here sounds like it is theoretical, hypothetical. I took on the cause roughly 12, 13 years ago in my Main Street enterprise that was just starting to grow, doing the things it was supposed to do, and that is transportation distribution. Then all of a sudden, healthcare becomes a subset of your business, and about the only solution you would get each year is, well, you are lucky it is not going up more than 5 or 10 percent.

I heard that too many years in a row. I was sick and tired of that being what I would have to live with as a CEO who had a healthy, successful business other than the healthcare component. What did I do? Healthcare plans are basically made up of three or four features.

You have your deductible. Ours had risen more than I was willing to take it up any higher. The only way you could buy premiums down would be to do that or change underwriters every 2 or 3 years. That gets to be a hassle as you become a larger company, and the profits were so great then for people who did it, you could end up bringing your cost down. Well, then you were right back in the old groove of, you are lucky it is only going up 5 to 10 percent the next year on renewal.

You also have coinsurance. Most people don't worry about that until they get significantly ill or have a bad accident. That is the percentage you have to pay once you exceed your deductible.

When you have those variables, you have one other item that almost everyone loves in their plan, and that is a low copayment. Those copayments are paid for in the high premiums, but it is because they constitute nearly 25 percent of most healthcare plans, and that is to keep skin out of the game for the people who use the system.

Well, I was going to do something different and decided to limit that expense when you really get sick or have a bad accident, covered coinsurance through the company, and asked my employees to engage from dollar one in shopping around and see if that would work.

Lo and behold, it has now been 13 years, and we have been able to keep a good plan in place, lower family healthcare premium contributions, and have not had a premium increase. What is it based upon? It is finding the meager transparency that was out there 12, 13 years ago and enhancing it over time. To give an example, if you pick up the phone, you get on the web, you will find anywhere from 30, 50, 60, 70