

Now and then, we all need to be gently reminded, I think, of the importance of these very things, and I can think of no better time or place for that than March in Indiana.

Mr. DURBIN. Madam President, let me thank my colleague from Indiana. You can't do better than "Hoosiers." It is one of my favorite movies. It is the story of a small Indiana town beating the big city players, and, if I am not mistaken, my former colleague in the House, Lee Hamilton, might have been one of those players on the big city team. I think he told me at one point. It is a great story and all eyes are on Indianapolis and Indiana now with the NCAA tournament and your neighbors to the west, Illinois, headed across the border. It is going to make a good showing, I hope, for the Fighting Illini.

Thank you very much for reminding us of that great American tradition.

#### SENATE FILIBUSTER RULE

Madam President, earlier in the day, my friend and colleague from Texas, Senator CORNYN, came to the floor and raised some questions about my commitment to the filibuster as a rule in the Senate. He quoted me several years ago as saying the filibuster is kind of an indication of what the Senate was all about, and I still stand by that.

The Senate, of course, with two Senators from each State, regardless of their population, is an opportunity for smaller States and minorities to be represented and to have a voice. And the filibuster, at least in some respects, was a procedural reflection of that same value.

But I would say to Senator CORNYN, I have been moved and changed my mind somewhat on filibuster because of nothing—nothing. That is what has been happening on the floor of the U.S. Senate, nothing. When Senator MCCONNELL, as the Republican leader, was in charge of the Senate over the last 2 years, we did little or nothing.

I didn't run for this office to represent the people of Illinois and to help our Nation to watch the ink dry on documents that are being pushed back and forth on desks here. We came here to do something.

Two years ago, because of the filibuster, 2 years ago, we considered 22 amendments in the course of 1 year on the floor of the Senate. That is not counting vote-aroma, that contraption of a procedure where we debate all of 2 minutes before we vote on something, but real debate and real amendments—22.

Well, the following year, 2020, dramatic increase. We went all the way up to 29 amendments in the course of a year.

You say: Well, give me some measurement in history. My wife said: What does that mean? In the first year of the Obama administration, we had 240 amendments in the first year. Now we are down to 22 and 29. Why? Because we reached a point now where everyone assumes that every issue is going to be filibustered, and therefore if you don't have 60 votes, forget it.

Well, it is rare that that kind of supermajority shows up on anything important.

That is what happens when you play out the filibuster tradition to an extreme. As one staffer said to me the other day, the Senate is in a death spiral. No one can bring anything to the floor that might be subject to a filibuster because you can't imagine where you are going to get 60 votes.

I hope he is wrong, but I can understand his analysis. The measures that we have considered so far this year in the U.S. Senate, after 2 months-plus—well, the impeachment trial—that didn't require any filibuster votes. The nominations that come before us every day are not subject to a filibuster. And, of course, there is the reconciliation bill—the American rescue program for President Biden—that was under a procedure where you couldn't use a filibuster.

So now things are quiet on the floor of the Senate again this week and next week because whatever you bring here is subject to a threat of a filibuster, and you need 60 votes. I have watched this play out on an issue near and dear to my heart. It is called the DREAM Act, which I introduced 20 years ago—20 years ago. It basically says that if you were brought to this country as an infant, toddler, or a child—your parents made the decision—you grow up here and you ought to have a fighting chance to earn your way to legal status and citizenship. That is it.

Overwhelming majorities of people in all political parties support it. They think it is a good idea. And you say: DURBIN, you came here to be a legislator, and, in 20 years, you can't pass one bill?

Well, I tried. Five times I brought the DREAM Act to the floor of the U.S. Senate, and it was stopped with a filibuster each and every time. I got a majority, and I still have a majority in support of it, but I can't get that 60 votes—that magic 60 votes that is needed under a filibuster.

Well, I am frustrated by that, and I hope my frustration is manifest by what I said on the floor. My challenge to the Members of the Senate on both sides of the aisle is very simply this: If you believe in the filibuster and if you believe in working, show me that you can pass an important bill subject to the filibuster. Do it next week or the week following. Bring something to the floor. Let's debate it, let's amend, and let's vote it. I don't think that is unreasonable to ask. In fact, I think that is the reason we were elected to come here.

So I would say to the defenders of the filibuster: Try to defend what has happened on the floor of the Senate the last 2 years—almost nothing. We can do better. The American people expect it of us.

#### GEORGIA SHOOTINGS

Madam President, last night, near Atlanta, GA, a gunman murdered eight people in what appears to be an act of

domestic terrorism. Six of the eight victims were women of Asian descent. We mourn the lives of those lost and pray for the families and loved ones.

While local and Federal authorities are still investigating the gunman's motives, we know that in the past year it has been a perilous time for Asian Americans and those from the Pacific Islands, especially women.

Since the pandemic began last March, nearly 3,800 hate incidents targeting these Americans have been reported. I expect the number of unreported incidents is much higher.

Asian-American women have had racist insults shouted at them from across streets. Grandparents have been assaulted and killed while running errands. Some Asian Americans have even begun carrying pepper spray, wearing body cameras, and walking in groups to protect themselves from wanton violence. Increasingly, AAPI Americans do not feel safe in their own neighborhoods.

This palpable fear is proof of how dangerous racist stereotypes and demagoguery can be. When former President Trump insists on calling the coronavirus the "China virus," as he did again last night on FOX News, he is not simply spouting hateful, childish rhetoric. He is granting people permission. Permission to target neighbors and fellow citizens. Permission to hate.

This kind of language divides and preys on fears. It offers the kind of answer to every problem that you might expect from these people. There is always somebody you could fear and someone you can hate. The sad reality is that racist fear-mongering has always been part of the American story.

Today, we know, by testimony from the FBI Director, that it is a growing danger to every American. Intelligence analysts warn us that White supremacists and other far-right extremists are the most significant domestic terrorism threat facing the United States. Of course, we look across the ocean to the threat of terrorism after 9/11. Sadly, now we have to look across the street.

For far too long the Federal Government has failed to adequately address this growing threat. We saw the lethal results of that inattention on January 6, right here in this Senate Chamber. Groups of far-right nationalists and neo-Nazis, provoked by former President Trump, stormed our Capitol in an attempted insurrection.

I have introduced a bipartisan bill in the Senate that would give law enforcement the resources to address this threat. It is called the Domestic Terrorism Prevention Act. It would establish offices to combat domestic terrorism in the Department of Justice, the FBI, and the Department of Homeland Security. Those offices would assess the domestic terrorism threat regularly so that law enforcement can focus their limited resources on the most significant threats, like those facing AAPI Americans today.

My bill would also provide training and resources to assist State, local, and Tribal law enforcement in addressing those threats. I am sure communities across this Nation could use that support.

And there is the issue of how these terrorist acts are committed. Last night's attack near Atlanta was a mass shooting, a uniquely American threat. Next week, the Senate Judiciary Committee, which I chair, will hold a hearing on gun violence in America. Too many people get shot in America—not just near Atlanta but in the cities of Chicago and St. Louis and all across our country. How many times have we seen images in those communities like we did last night of another mass shooting? America is better than this.

We need to take action to reduce the number of gun deaths in this Nation. We are going to get to work in the Senate Judiciary Committee to try to find some common, bipartisan ground to address it. Maybe we will fail. I hope we succeed. We have to try.

It is time for the Senate to stop cowering before any special interest group and pass commonsense gun safety policy. To the people of Atlanta, to members of the AAPI community, and all across America, we are standing with you. We are grieving with you. We will do everything in our power to protect you.

#### NOMINATION OF XAVIER BECERRA

Madam President, our Nation is at a critical moment in our fight against COVID-19. We have seen declining infections, declining hospitalizations and deaths. And thanks to three effective vaccines—and, perhaps, more on the way—and adherence to social distancing and mask wearing, this new administration has put together a comprehensive plan to address and defeat this virus, but we aren't out of the woods yet.

In the United States, we have less than 5 percent of the world's population and 20 percent of the COVID cases and deaths. We can continue to see 50,000 to 60,000 new COVID cases every day. We still have approximately 4,700 people hospitalized because of COVID in the United States. We still tragically lose 1,200 American lives each day.

While access is improving greatly, we still see too many people struggling to get a vaccine. If we are going to defeat this virus once and for all, we need our top public health officials in place on the job.

Yet our Republican colleagues continue to block the nomination of Xavier Becerra to head the Department of Health and Human Services, the chief Federal Agency responsible for our public health response to COVID. Their campaign to leave the top public health position in this Nation empty in the midst of a pandemic is unwise. It has to come to an end.

It has been 3 months—3 months—since President Biden announced that he would nominate Mr. Becerra to

serve as Secretary of Health and Human Services. A majority of Senators support his nomination. I do. He is a personal friend and someone I have known for years. He is extremely competent and ready for the job.

Yet Republican Senators continue to delay Xavier Becerra's nomination day after day after day. Their objections to him are all over the map. They say they oppose him because of his support for the Affordable Care Act. Remember that one—President Obama's Affordable Care Act, which took half of the people who were uninsured in America and gave them the protection of health insurance, maybe for the first time in their lives. It provided health coverage to more than 20 million Americans. It has been a lifeline to families nationwide.

Most people would say: Thank goodness Mr. Becerra supported it. For a man who wants to be Secretary of HHS, you would almost insist on that. And yet Republicans oppose his nomination because of that, and they also don't like the fact that he was the attorney general of California and he enforced the State's COVID-19 rules. How can defending public health rules disqualify a person who wants to be America's top public health official?

We are in the midst of a lethal pandemic that has claimed nearly 530,000 American lives. More people are infected and dying every day. Is this any time to play politics with the Department of Health and Human Services? I don't think so.

Xavier Becerra is an effective manager, a smart, thoughtful, passionate leader. He is the right person to lead the Department. He served in the U.S. House of Representatives for more than two decades. As California's top prosecutor in 2017, he took on the tobacco companies and the opioid manufacturers—three cheers for him in both instances—and he helped defend healthcare for families, women, and the LGBTQ community.

In his confirmation hearing, Mr. Becerra highlighted his commitment to serving all Americans by expanding access to health insurance, lowering prescription drug prices, improving rural healthcare, and addressing racial and ethnic disparities in care. Would you expect anything less from a man who wants to lead our public health effort?

When he is finally confirmed this week, after this unconscionable delay—and he will be confirmed—he will be the first Latino to serve as Secretary of HHS. His historic confirmation will be especially meaningful at this moment in time when Latinos are disproportionately affected by the medical and economic impact of COVID.

Delaying his confirmation only hurts our Nation—still struggling to beat this pandemic; still working to get everyone vaccinated, to get our schools open, and everybody back to work. Sadly, these Republican Senators who have led this charge against him are

demonstrating obstructionism at its worst and at the worst moment.

I look forward to confirming Xavier Becerra to be Secretary of Health and Human Services.

I yield the floor.

The PRESIDING OFFICER (Ms. SMITH). The Senator from Delaware.

Mr. CARPER. While my colleague Senator DURBIN is here, there is a real irony here to say that our Republican friends are not going to support Xavier Becerra because of his support of the Affordable Care Act. One key ingredient of the Affordable Care Act is actually the exchanges to provide for those who don't have access to coverage from their employer or some other way to get in a group.

But that was an idea that was introduced in 1993 by 23 Republican Senators—23 Republican Senators—as an alternative to HillaryCare, and it never got anywhere. It never went anywhere until an enterprising Governor from Massachusetts—I heard about him—said: Here is a way one can enforce this and provide opportunities for the people to get healthcare coverage that otherwise wouldn't have it. He said this might work. And they introduced it as RomneyCare in the State of Massachusetts. And do you know what? It worked. It made healthcare coverage available to a lot of people, and it helped on the affordability side too.

For our Republican friends to say that is the reason why—his support for the ACA, a key ingredient of which is the exchange—is an irony here. So I hope it is not lost on our friends.

I thank Senator DURBIN for those comments.

Like my friend Senator DURBIN, I, too, rise in support of Attorney General Xavier Becerra, a longtime public servant and President Biden's nominee to be our next Secretary of Health and Human Service.

For a year now, I have been saying to anybody who would listen that the only way to really get our economy back on track, to put parents back to work, kids back in the classroom, and life back to normal in the United States of America is to do all that we can to put this devastating pandemic in our Nation's rearview mirror. That means vaccinating as many at-risk Americans as safely and as quickly as possible.

In fact, under the leadership of our new President, America is leading the way in the production and the distribution of vaccines. How about that—leading the world?

Each day we are breaking records on the number of new Americans who are being vaccinated. After going through one of the darkest periods in American history, we are finally beginning to see the light at the end of the tunnel. But as we ramp up for actual distribution throughout America and help make sure that all people—all people from rural communities to urban cities—have equitable access to lifesaving vaccines, we need to make sure that the