

the epidemic of gun violence in this country.

Today, our hearts are with the people of Colorado and with everyone whose lives have been touched by gun violence.

#### VIOLENCE AGAINST ASIAN AMERICANS

Mr. SCHUMER. Mr. President, now, as I mentioned, the shooting in Colorado comes only a week after another tragedy in the communities outside Atlanta, GA, where eight people were killed in a string of shootings, six of whom were women of Asian descent.

It is important to place the Atlanta area shootings in context. Over the past year, there has been a rising tide of violence against Asian Americans driven by fear, misinformation, and age-old prejudices against the Asian-American community, from shouted insults and racial slurs to outright assault.

A 61-year-old Filipino American was slashed in the face by a box cutter on the New York subway. An 84-year-old Thai American in San Francisco was shoved so violently it led to his death. And now this attack in Georgia.

Every day, Asian Americans walk down the streets looking over their shoulders, wondering if they will be assaulted or even worse—even worse.

The poison of racism has always existed in America, but over the past 4 years it seems to have found new life. There is no question that the former President Donald Trump, through word and deed, fanned the flames of racial bias in our country. It is not a coincidence that it is worse now than it has been before. Donald Trump fanned those flames—fanned those flames, often with glee.

With respect to the Asian-American community, specifically, the former President encouraged rhetoric that blamed the Chinese people for the coronavirus—an absolutely despicable notion that has led to all sorts of verbal and physical assaults on Asian Americans. You could see him with his chin strutted out when he called it the virus that he named it—you know what—the China virus. So despicable. And he did it with almost a joy.

Here in America, we all know that an attack against any one group is an attack against all of us. So it is up to all of us now to stand up and speak out in support of the Asian-American community in America.

Over the weekend, I joined several vigils to stand with Americans of all ages, races, and faiths to support the Asian-American community. There was a large turnout, and our Asian brothers and sisters were so relieved that so many of us from the elected community were there. We should all be doing that in every part of the country.

Here on the floor of the Senate this morning, I started the process to make two pieces of legislation available for action by the full Senate.

First is a bill led by my friend Senator HIRONO of Hawaii, very similar to the same bill introduced by our New York Congress Member, GRACE MENG, of Queens. This legislation by Senator HIRONO will address COVID-related hate crimes against Asian Americans head-on. It would assign a point person at the Department of Justice to expedite the review of COVID-19-related hate crimes, provide support for State and local law enforcement agencies to respond to hate crimes, and work on solutions to the problem of racially discriminatory language that has been used to describe the pandemic.

Second is a bill led by my friend Senator DURBIN to counter the threat of domestic terrorism and violent White supremacy. This is a bill that passed the House of Representatives last year on an overwhelmingly bipartisan basis. As far as legislation goes, it is as much of a no-brainer as it comes.

Every one of us—every one of us—has an obligation to speak out against these hate crimes. One of the best antidotes—there are many—but one of the best antidotes when hate occurs is to answer it forcefully, strongly, and repeatedly so that no one thinks it is acceptable, and those who perpetrate it are shunned and then, if they have broken the law, punished.

Every one of us must do this. We must speak out. Here in the Senate, we have more than a responsibility to just speak out; we must take action. I hope we will have universal support for these pieces of legislation that I mentioned.

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

#### FILIBUSTER

Mr. McCONNELL. Mr. President, while House Democrats try to overturn a certified election result from last November, some Senate Democrats are agitating to break Senate rules to ram through a partisan rewrite of all 50 States' election laws—all 50 States' election laws.

The 60-vote threshold is the reason huge pillars of domestic policy don't oscillate back and forth every time a different party wins the majority. So let's think of something like the Mexico City policy, the executive branch policy about funding overseas abor-

tions. It has flipped back and forth every single time the White House has changed parties since the 1980s. Republican Presidents issue the memo; the Democratic Presidents retract it.

The legislative filibuster is what keeps the entirety of Federal law from working that way. For a long time, Senators on both sides have recognized the Senate and the country are better off with some actual stability. Both sides have understood there are no permanent majorities in American politics, so a system that gives both sides a voice benefits, actually, everyone in the long term.

That is what 33 of our Democratic colleagues said just a few years ago, when they all signed a joint letter insisting that rules protecting debate on legislation be preserved.

That is what President Biden believed consistently throughout his long Senate tenure. About 15 years ago, then-Senator Biden said killing the filibuster would be, "an example of the arrogance of power." That was President Biden. He restated his long-held position during the campaign just last year.

Here is what my colleague the Democratic leader said in 2017. Senator SCHUMER said:

The legislative filibuster . . . is the most important distinction between the Senate and the House. . . . [L]et's find a way to further protect the 60-vote rule for legislation.

That was the Democratic leader in 2017.

And Democrats didn't just spend the last 4 years supporting the filibuster; they spent 4 years using it. Senate Democrats used the filibuster to kill Senator TIM SCOTT's police reform bill in the wake of the deaths of George Floyd and Breonna Taylor.

We could have had Federal legislation on the books since last summer, putting more body cameras on police officers, requiring fuller incident reporting to the FBI, and finally making lynching a Federal crime, among other things. Democrats stopped it. They stopped it using the filibuster.

A few months before, they used the filibuster to briefly turn the bipartisan sprint toward the CARES Act into a partisan standoff. The press marveled that Senate Democrats had the gall to block relief—a tactic that helped tank the markets—in order to demand further changes.

Back in early 2018, Senate Democrats used the filibuster to block government funding and force a brief government shutdown over, of all things, immigration. One of the Democratic leader's first major acts as the leader of his conference was to wield the filibuster to shut down the entire Federal Government.

So, look, the Democratic side just spent 4 years defending and, of course, happily using the same Senate rule that many of our colleagues now attack. So this reversal is not about principle. It has nothing whatsoever to do with principle. It is just raw power—raw power.

Three years ago, the assistant Democratic leader was asked about the Senate majority going “nuclear” and killing the legislative filibuster. Here’s what Senator DURBIN had to say:

I can tell you that would be the end of the Senate as it was originally devised and created going back to our Founding Fathers.

That was Senator DURBIN in 2018, just a few years ago. Now he argues the opposite.

Now I understand our colleague has rotated through several different explanations for his reversal in just the last few days.

First, our colleague from Illinois indicated he changed his mind—changed his mind—because Republicans, and I specifically, had used the filibuster so much in the intervening years. But, Mr. President, Republicans were in the majority the whole time. We were in the majority the whole time. It was the Democrats who used the filibuster in the minority in 2018, 2019, and 2020—not Republicans. That argument makes no sense whatsoever.

A few days later, there was a new made-up rationale: It is just that the Senate hasn’t been getting anything done, so the institution needs an overhaul. Except we have just had a uniquely terrible year to make that argument.

Last year was not a good year to make that argument. We passed five—five—bipartisan COVID bills with big bipartisan majorities that spent the most money in American history and helped save the country. Don’t see any obstruction in that. We passed a historic bipartisan bill for national parks and public lands. Didn’t see any outrageous use of the filibuster on that.

So there is fake history swirling all around the discussion—fake history.

About a year ago, former President Obama launched a new, coordinated, and very obvious campaign to get liberals repeating the claim that the Senate rules are somehow a relic of racism and bigotry. That came just a month after Democrats had used the filibuster to kill Senator TIM SCOTT’s police reform and anti-lynching bill.

So these talking points are an effort to use the terrible history of racism to justify a partisan power grab in the present. It is not unlike what we saw last summer, when some protest mobs ended up defacing statues of people who actually crusaded for justice—like Abraham Lincoln, Ulysses S. Grant, and the abolitionist Matthias Baldwin—mistakenly damaging good institutions because of our troubled past.

Multiple fact checkers have torn into this simplistic notion that the rules of the Senate are rooted in racism: “Historians told PolitiFact that the filibuster did not emerge from debates over slavery or segregation.” One scholar’s account was that “the very first Senate filibuster was over a bridge across the Potomac River.”

The very first filibuster was over a bridge over the Potomac River.

The junior Senator from Massachusetts just got three Pinocchios from

the Washington Post for these arguments.

Their look—the Washington Post’s look—at history found “the first recorded filibusters in the Senate concerned issues such as where to locate Congress, what to do about Andrew Jackson’s censure over withdrawn federal deposits, who would be appointed to a publication called the Congressional Globe and whether to create a national bank”—nothing to do with racism.

But I am curious. If my Democratic colleagues really believe what they are saying, did they themselves use a racist tool against Senator SCOTT’s police reform bill just last year?

Did they use a racist relic when they delayed the CARES Act or blocked legislation to protect unborn babies who can feel pain?

Were Senators SCHUMER and DURBIN and their 33 colleagues who signed that letter all endorsing a racist relic?

Or is our colleagues’ story that the filibuster was not an offensive relic as recently as last summer but magically—imagine this—just magically, within a year, magically became an offensive relic the instant the Democrats came to power? All of a sudden, it is an offensive, racist relic when the Democrats came to power. Jaw-dropping hypocrisy. These backflips insult the intelligence of the American people.

The far left is desperate to change the subject to the 1960s because they want people to forget how Senate Democrats behaved just last year. This is not about the 1960s. It is not a racist relic.

Look, if some of my Democratic colleagues want to keep lobbying two of their colleagues to go back on their word, they should at least have the courage to be honest.

The far left wants Democrats to break the Senate rules for no other reason—no other reason—than they want more power. They want more power. The same people who are trying to overturn a certified election result over at the House want to break Senate rules so they can override the election laws of all 50 States from right here in Washington. It is that simple. And it is not going to be hidden by a coordinated campaign to change the subject.

#### CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to executive session to resume consideration of the following nomination, which the clerk will report.

The senior assistant legislative clerk read nomination of Shalanda D. Young, of Louisiana, to be Deputy Director of the Office of Management and Budget.

Mr. MCCONNELL. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. THUNE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### FILIBUSTER

Mr. THUNE. Mr. President, talk continues to swirl about eliminating the legislative filibuster here in the U.S. Senate. The Democratic leader has threatened that if Republicans don’t vote the way he wants them to vote on legislation, eliminating the filibuster will be on the table.

In an interview where he issued his threat, the Democratic leader made it very clear that he is not inviting Republicans to work with Democrats on legislation. This isn’t an invitation for both parties to sit down at the table and arrive at an agreement that both parties can support. No. This is an invitation for Republicans to support exactly what Democrats want or face the consequences.

It is ironic that the Democratic leader would be taking that position today because this is what he was saying back in 2017 about the legislative filibuster. This is the Democratic leader saying the “legislative filibuster” is “the most important distinction between the Senate and the House. Let’s find a way to further protect the 60-vote rule for legislation.”

So the Democratic leader was very supportive of this back in 2017, when they were using it extensively to try and stop or slow Republican legislation.

The assistant Democratic leader, the Democratic whip, Senator DURBIN from Illinois, said this in January 2018:

I can tell you that would be the end of the Senate as it was originally devised and created going back to our Founding Fathers.

“[G]oing back to our Founding Fathers,” referencing the legislative filibuster and how important it was historically here in the U.S. Senate.

Well, about that same time, 2017, 61 Senators out of 100 here in the U.S. Senate—61 out of 100 Senators—signed a letter in which they supported retention of the legislative filibuster. In fact, it goes on to say:

We are writing to urge you—

And this is to the Senate leaders at the time, Senators MCCONNELL and SCHUMER—

to support our efforts to preserve existing rules, practices, and traditions as they pertain to the right of Members to engage in extended debate on legislation before the United States Senate. Senators have expressed a variety of opinions about the appropriateness of limiting debate when we are