

term. After all, President Roosevelt's Court-packing attempt is not exactly regarded as a shining moment of his Presidency. And so in a move worthy of Orwell's "Nineteen Eighty-Four," Democrats are asking us to accept the fantastical notion that Republicans packed the Court—indeed, packed the entire judiciary—and that Democrats are merely seeking to restore balance.

Yes, in the Democrats' brave new world, the President performing his constitutional duty to nominate judges and Justices, and a Senate duly confirming them, is now defined as a nakedly partisan power grab akin to President Roosevelt's attempt to secure a favorable outcome for his policies from the Supreme Court.

I should say a Republican President fulfilling his constitutional duty and a Republican Senate confirming his nominees because we all know—we all know that if it were President Biden who had filled multiple seats on the Supreme Court and succeeded in having a lot of judges confirmed, his actions would not be regarded as Court packing; they would be regarded correctly as business as usual. That is what we do around here. They would be regarded correctly as a President doing his job and performing his constitutional duty.

Then there is Jim Crow. Americans know what "Jim Crow" means. It refers to the reprehensible period of segregation, when Black Americans were forced to live as second-class citizens and denied the equal protection of the laws.

"Jim Crow" is one of the great stains on our country's history, and it is a term that should not be used lightly, but that is exactly what Democrats are doing.

They decided that it suits their purposes to call to mind the history of this word, and so they have applied the term to an ordinary, mainstream election reform bill in Georgia.

In fact, the President went so far as to call the Georgia law "Jim Crow on steroids," as if it would not only bring us back to the era of segregation but return us to something even worse.

And all this for an election law that is squarely in the mainstream when it comes to State election laws and in some ways is more permissive than election laws in presumably utopian Democratic-led States like New York.

I could go on.

There are Democrats' attempts to redefine "bipartisan" from something that is supported by both parties in Congress to something that is maybe—maybe—supported by some Republican voters in some poll, no matter how dubious its reliability.

Or there is the White House's contorted refusal to call the situation at our southern border a crisis, as if by refusing to use the word they could somehow change the reality of the situation.

But let me ask a question. Why is the plain meaning of language under as-

sault by the Democratic Party? Why are Democrats dramatically redefining ordinary words and concepts?

Well, maybe it is because reality isn't so pretty. Take court packing. The truth is that Democrats are afraid that the current Supreme Court is not going to rule the way Democrats want in cases they care about. So they want to expand the Supreme Court and let President Biden nominate new Justices so they can guarantee the outcomes that they want.

But saying that doesn't sound so great. In fact, it sounds more autocratic than democratic. So Democrats are attempting to disguise the real reason behind their partisan court-packing plan by applying the word "Court packing" not to their own attempts to pack the Court but to the ordinary work of the President and the Congress.

Or take infrastructure. Pretty much everybody supports infrastructure. You would be hard-pressed to find anyone who doesn't thinking the government should maintain our roads and bridges.

It would be a lot easier, on the other hand, to find people who think that maybe government shouldn't be in the business of substantially increasing spending or expanding into new areas of Americans' lives.

So Democrats have chosen to disguise their plans for massive government spending and government expansion under the heading of "infrastructure." After all, everybody supports infrastructure.

So if they can sell their plans for government expansion as infrastructure, then they might be able to implement a lot of proposals that otherwise might not make it through Congress.

Or take Jim Crow. With H.R. 1 and S. 1, Democrats are pushing to pass an election law that would federalize elections, inject a massive dose of partisanship into our election system, and give Democrats what they hope will be a permanent advantage in elections going forward, but obviously they can't say that. They can't suggest that we pass H.R. 1 to improve Democrats' electoral chances so they have had to find another reason to push Americans to pass this bill.

And so they have manufactured a crisis—States are passing dangerous election laws that harken back to Jim Crow, and we need the Democrats' election bill to save the day.

Sometimes I wonder when the President is bashing the Georgia election law if he remembers that the legislature that passed that law was elected by the same voters who gave him the victory in Georgia and sent two Democrats to the U.S. Senate. Does he really want to call those voters racist?

Ultimately, Democrats' assault on language is about power. Change the language, and you can change the outcome and secure your political control.

It is no coincidence that oppressive regimes have cracked down on speech and redefined it to suit their purposes

or that they manufacture crises to keep the people in need of government.

The problem for Democrats is that there is no mandate for Democrats' far-left agenda. Democrats' radical socialist candidates couldn't even make it through the Democratic primary, let alone the general election. President Biden won the Democrat primary and the election in large part because he campaigned, perhaps disingenuously, as a moderate. And as for Congress, Democrats lost seats in the House and have a paper-thin majority in both Chambers. If there was any mandate to be gathered from November, it was a mandate for moderation.

But Democrats aren't interested in moderation. They are increasingly enthralled with the far-left wing of their party, and they have a radical agenda to push and possibly a very limited window to push it. And since there is no mandate for that agenda, they have to create one.

That is why you see Democrats redefining the very plain meaning of common words. Say that you don't like the makeup of the Supreme Court, and most Americans would say: Tough, that is the way the ball bounces sometimes in our democracy.

Claim that Republicans engaged in court packing, on the other hand, and all of a sudden Democrats' radically partisan Supreme Court power grab seems a lot more acceptable.

I get Democrats' passion for their politics. I feel pretty strongly about my political principles. But their manipulation of language to advance their politics is deeply disturbing. Instead of trying to pursue a radical agenda cloaked in misleading language, I suggest Democrats turn their efforts to bipartisan cooperation. As the November election made clear, that is what the American people are looking for.

I yield the floor.

The ACTING PRESIDENT pro tempore. The majority whip is recognized.

INFRASTRUCTURE

Mr. DURBIN. Mr. President, I listened carefully to the statement by my friend from South Dakota about radical socialism—radical socialism. I think what he is categorizing as radical socialism is the suggestion by the President of the United States, Joe Biden, that we should really care about providing safe, affordable, quality daycare for women who want to go to work. Radical socialism?

I am concerned about some trends that we are noting. The census reports that the birth rate in America is going down. Fewer children are being born in this country. I ask a basic question: What does that say about our country and about our future?

What it tells me is that raising a family for many is a struggle. They have to work to bring money home, and they want to have the peace of mind when they go to work that their kids are safe. That is not a radical suggestion, and the solution isn't socialism.

The solution is just caring. What do you care about? President Joe Biden does, and he has suggested, as part of his plan for American families, that the wage earners don't have more than 7 or 8 percent of their income dedicated to daycare. I don't think that is radical. I think it is realistic. It says they have some skin in the game, some investment on their own part, but they have affordable daycare affordable to them.

Republicans say they are all about infrastructure. We want to build the best highways—I do, too—the best bridges and best airports and such so that Americans in business can move from one place to another. Sign me up. That is basic infrastructure, and I agree with it. But, if I have the best highway from my home to a good place of employment and still can't find affordable daycare, many people—especially women who are out of work—can't buy into this infrastructure investment. That is not radical. Socialism, to give a mother a helping hand so that she has a safe place to leave her child during the course of the day?

And how about the other suggestions of President Biden? Is it radical socialism to suggest that we have available for all families in America—all families in America—2 additional years of training and education for children before kindergarten? I don't think it is radical.

I have the best little granddaughter in the world, who is going to be 2 years old in just a few days. She started her school experience already. We are proud of her, and I think it is going to help her to socialize with other children, learn in a classroom atmosphere, and I am glad she is there. I wish every family in the city of Chicago and the State of Illinois had the same option. But many cannot.

President Biden thinks that is a good idea. So do I.

Who would characterize that as radical socialism—2 additional years for children before kindergarten?

Here is another thing he suggests. Let's have 2 additional years after the 12th grade. The President said 2 years of community college. Is that radical socialism, to expand the offering of education an additional 2 years? If you visit community colleges and see what is going on there, you realize that many young people are making really life-changing decisions about their careers and their future.

Radical socialism? I don't think so. I think most families would say it is just common sense. It is not radical, and it is not socialism if government gives a helping hand. We have done that since the 1950s when it came to college loans. We do that today when it comes to helping school districts across this Nation. Not radical, not socialism, just common sense commitment to the American family.

So they can make the speeches all they wish, but that is the reality.

There has been an awful lot of talk on the Senate floor about infrastruc-

ture, as I mentioned. Many of my colleagues across the aisle think it is just roads and bridges and nothing more. I think that is a priority, but I don't think that is the entire challenge.

When we consider infrastructure, we ought to look to the future. We should ask important challenging questions. What kind of infrastructure investment will help us for decades to come? What does the next-generation economy in America need? What tools will our children and grandchildren need to lead healthy, productive, satisfying lives?

Tough questions, but President Biden's American Jobs Plan and the American Families Plan face these questions honestly. Broadband, education, clean energy, paid family leave, electric vehicles, daycare—the President's plan envisions all of these things and more as the future of infrastructure.

What does that future look like in practice? I had a visit last week which was amazing. I wanted to share just a little bit of my visit with you. Last Thursday, I visited a town in central Illinois called Normal. During my visit, I toured a new manufacturing plant, the Rivian plant, where production will begin in a few weeks on brand-new electric trucks, SUVs, and delivery vans. This is not a small-scale operation. Amazon has already placed an order for 100,000 emission-free delivery vans—100,000.

Not long ago, 6 years ago, in fact, another car company, Mitsubishi, occupied a plant where Rivian is today, and they left town, putting 1,000 people out of work in the process. We were pretty down on our luck at that point and despondent about the future of that facility. It sits out by Interstate 55.

Guess what happened. A year later, thanks to the leadership of many people, including my friend the mayor of Normal, IL, Chris Koos, who found a buyer for the old Mitsubishi plant. By the end of 2021, that plant will be back in business full scale with more than 2,500 employees producing the next generation of electric vehicles.

It is a manufacturing jobs boom in Normal, IL. I couldn't be more excited or happy for the people who live nearby. It was made possible by leaders and investors who refused to hang on to the past. Here was this young CEO who decided that electric vehicles were our future. He came up with that idea 5 years ago, and he has created a large class of believers.

Folks in this town will tell you infrastructure is about more than roads and bridges. For them it is about taking transportation in America to the next generation, and the President of the United States, Joe Biden, understands that.

His American Jobs Plan includes a \$174 billion investment in electric vehicles and charging stations. Is this some big radical socialist government idea? No. Listen to the major producers of automobiles in America today talk

about where they think the market is headed. Every one of them is talking about electric vehicles. The funds that President Biden proposes would support the growth of companies like Rivian and accelerate the installation of charging stations across the country.

I went from Normal, IL, to a multimodal facility—Amtrak, cars, buses. They all gathered downtown in a building which I helped to build. And we went to several levels of parking in this facility. At each level there were electric charging stations. That is the future.

Imagine the future where you drive from Normal to Chicago or St. Louis, or anywhere in this country, without burning a drop of gasoline? This is the new normal, a place where hard-working Illinoisans produce next-generation vehicles, and companies come together with local leaders to move us toward a cleaner, stronger economy.

Normal, IL, is stepping up to the plate to ensure the United States continues to lead in the global economy, even as competitors like China ramp up their own electric vehicle production.

Make no mistake. If we follow the lead of the Republicans and step away from investing in electric vehicles and the training and the other elements that are necessary to develop it, the Chinese are not going to drop out of the competition. They are going to unfortunately be very successful at our expense.

Normal isn't going it alone. All around my State, I am proud to say, we see efforts to create this electric vehicle future. Last week, Governor Pritzker and Lion Electric announced plans to open a new electric vehicle manufacturing plant in Joliet, IL—a \$70 million investment that will create 700 new jobs.

Beginning in 2022, the plant will produce 20,000 zero-emission medium- and heavy-duty vehicles. That means electric school buses and trucks built right in my home State.

A Netherlands-based manufacturer of charging stations, EVBox, set up its U.S. headquarters in Libertyville, IL, this past summer. They have plans to produce more than 200 fast-charging stations a week.

The electric transportation industry and its surrounding infrastructure already employs more than 5,000 people in my State of Illinois. One recent report projects that electric transportation employment in Illinois will grow to more than 9,500 workers by 2024. That is an 83-percent jump in 3 years.

Illinois is poised to have a nationally important role in the development of electric vehicles. Why are the companies coming to Illinois? I have a theory. Illinois has been setting the stage for this electric vehicle revolution for years.

Look at our labs—Federal labs. Scientists and engineers in our national

labs have pushed the boundaries of vehicle and battery technology for decades, always looking ahead. Today, their pioneering work will produce batteries that will last longer, charge faster, and can be recycled safely.

Look at our universities. The University of Illinois at Urbana-Champaign produces some of the best engineers in America. In Normal, you can find Illinois State University and Heartland Community College, which produce a direct pipeline of new talent to companies like Rivian.

Illinois recognizes that science and research are the backbone for the economy. Our labs and universities prove it time and again. This research drives the electric vehicle industry forward, and companies want to be right in the middle of that environment.

Beyond batteries, Illinois leads the way in research in clean energy technology, quantum computing, artificial intelligence, and many of the other technologies we need to be part of the economy of the 21st century.

President Biden understands that we need research, too. His American Jobs Plan proposes \$180 billion in investment in research and development for things just like electric vehicles. We have the opportunity to not only electrify but to supercharge our future.

Federal funding that matches the President's bold plan could transform more towns like Normal or Joliet into powerhouses of American manufacturing.

I listen to Republicans on the other side say: We shouldn't spend so much. We shouldn't spend it on so many things that might affect our future. Take it easy. Take it slow. Wait and see what happens.

I couldn't disagree more.

The Republican plan is a solid strategy for second place in the world. I don't want to be part of an effort to bring the United States second in any competition in the world. We may not always be first, but we should always strive to be first. Stepping away from President Biden's plan for manufacturing and jobs and families is, unfortunately, an easily predicted outcome. We will not be able to succeed and create the jobs of the future.

I will continue to support robust, sustained funding for electric vehicle infrastructure and innovation. I hope that both parties will. I hope my colleagues will join me in thinking in a big way about the future of America when it comes to the economy and infrastructure. I have seen the future it can create in Normal, IL, last week, and it is a bright one.

LIABILITY IMMUNITY

Mr. President, the American Rescue Plan was the Biden threshold initiative to bring to America what it desperately needed after this President was sworn in on January 20 of this year. Unfortunately, we didn't have a single Republican to support it—not one. Not a single Republican Senator or House Member would support the

American Rescue Plan of President Joe Biden.

What did the plan do? Well, it bought more vaccines. It invested dramatically in the distribution of these vaccines across America. It turned around and kept the President Trump promise of the cash payment of \$1,400 for each individual. It extended unemployment benefits so that people could continue to keep food on the table and pay their rent and mortgage payments until they found good jobs. And it basically said to small businesses: We are not giving up on you. We are going to help you, whether it is the restaurant industry or other businesses. We want you to be back in business. We invested that money as a nation, and it was a critical time to do it.

President Biden believed, and all the Democrats supported him in this belief, that we should move forward now or run the risk of falling behind in developing our economy. The American Rescue Plan was successful. It has given assistance across the board to families and businesses and delivered resources where they were needed the most. It really matched the crisis with an initiative that was significant in scope.

But if my Republican colleagues had had their way, the American Rescue Plan would have looked a lot more like a giant corporate giveaway because all throughout 2020, they were clamoring for massive handouts to big businesses in the form of liability immunity. I am glad that my colleague from Texas is on the floor because it is an issue that he has been interested in and has spoken on the floor many times.

All last year, we heard from the other side of the aisle that Congress needed to give sweeping Federal liability immunity to corporations when it came to their conduct during the pandemic. Well, we heard some dire warnings about the number of lawsuits that were going to be filed because of COVID-19. It was called a tsunami of lawsuits by the Republican leader of the Senate.

One year ago today, on May 11, 2020, Senator McCONNELL spoke on the Senate floor and raised fears of "a second job-killing epidemic of frivolous lawsuits." The next day, he came to the floor and kept the attack on, and he warned of "a tidal wave of medical malpractice lawsuits." That is from Senator McCONNELL on the floor of the Senate.

Senate Republicans rallied behind a bill introduced by Senator CORNYN that would give corporations immunity from accountability both in court and from regulators for conduct that could be considered negligent under current law. I argued against these corporate immunity proposals. Granting corporations legal immunity gives them an incentive to cut costs and cut corners when it comes to the health and safety of workers and consumers. It gives a pass to unreasonable and irresponsible behavior and puts people at greater risk. I don't think that is the right approach.

As I kept pointing out to my Republican colleagues, they couldn't show statistically why this was necessary. The data never justified their proposals. That tsunami of lawsuits never arrived. We are now over a year into this pandemic. Over 32 million Americans, sadly, have been infected, and nearly 600,000, tragically, have died. So how many lawsuits have been generated by all these terrible outcomes?

Well, there is a law firm, Hunton Andrews Kurth, that has tracked all of the lawsuits filed in the United States over COVID-19. I checked the totals over the weekend. You may be asking: Well, how many medical malpractice cases have been filed in the United States over the last year related to COVID-19? The number: 20—20. And how many cases alleging personal injury from exposure to COVID-19 in a public place have been filed? The number is 60 in the entire United States. That is not a flood. That is not a tsunami. It is a trickle.

In fact, the main litigation we have seen involving COVID has been one business suing another business. For example, there are 1,831 lawsuits involving insurance disputes, 640 lawsuits involving business closures and stay-at-home orders, and 772 lawsuits involving contract disputes. It was not what was predicted on the floor over and over again by Senators from the other side of the aisle.

I am always troubled how the Republican immunity proposals try to block infected workers and families from suing corporations for negligence, but let corporations continue to file their own COVID-related lawsuits by the hundreds whenever they feel like it. How is that fair?

I believe Americans deserve a chance to have a day in court when these families believe their loved ones have been harmed due to negligence or misconduct. For example, if a senior citizen dies because a nursing home refused to share what it knew about the virus's spread, I believe the families of those victims deserve a chance to go to court and seek justice.

Those types of cases are traditionally governed by State law. States can and do adjust their State liability law to fit the circumstances. As it turns out, more than half the States have changed their liability laws, either through legislation or executive action, in response to COVID. In my view, some of the States went too far, to be honest with you, in shielding negligent behavior by corporations, but that was their call to make since this is a State law issue.

I find it surprising that my colleagues on the other side of the aisle want Congress to step in and impose sweeping Federal corporate immunity that would override the laws of all 50 States. There was no justification for doing so, and I am glad we didn't. It would have made us less safe.

I hope the next time we hear calls for sweeping Federal liability immunity