

public statements that the thousands in the camp faced immediate expulsion.”

Nobody believes Democrats that this lawlessness, chaos, and human suffering is the fair and compassionate way to govern our country. Nobody buys that. An average of recent surveys shows that only 36 percent—36 percent—of the country approves of President Biden’s handling of immigration, while 56 percent disapprove.

Look, Americans know a train wreck when they see one. Our citizens deserve better than this failure—utter failure—of leadership, and so do the people Democrats are luring here with a mirage.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.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

Mr. DURBIN. Mr. President, I ask unanimous consent that Senator THUNE and I be allowed to complete our remarks before the vote is taken.

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

NOMINATION OF FLORENCE Y. PAN

Mr. DURBIN. Mr. President, this week, the Senate will vote on Florence Pan’s nomination to the District Court for the District of Columbia.

She is highly qualified, with more than a decade of experience on the bench. If confirmed, she would be the first Asian-American woman to serve on that court.

She graduated *summa cum laude* from the University of Pennsylvania and received her law degree with distinction from Stanford.

After clerking on the Southern District of New York in the Second Circuit, she decided to pursue a legal career in public service. In 1995, she was selected for the prestigious Bristow fellowship in the Office of the Solicitor General. After completing her fellowship, she served as attorney in the Appellate Section of the Criminal Division of the Justice Department and senior advisor to the Department of the Treasury.

Beginning in 1999, Judge Pan worked as an assistant U.S. attorney for the District of Columbia for 10 years. In this role, she litigated local and Federal courts at the trial and appellate level.

In 2009, President Obama nominated her to serve on the DC Superior Court. She was confirmed with unanimous support by the Senate.

Years later, President Obama nominated her to serve on the DC district court, and her nomination was re-

ported out of the Republican-controlled Judiciary Committee by a voice vote. Unfortunately, she didn’t receive a floor vote in time, though lawmakers on both sides of the aisle recognized that she was eminently qualified.

Since 2009, Judge Pan has presided over more than 650 trials: criminal cases, family court cases, civil cases. She was unanimously rated “well qualified” by the American Bar Association. She has the strong support of Congresswoman ELEANOR HOLMES NORTON, who submitted a statement for the record and described her as an exceptional nominee.

Last month, she was voted out of the Senate Judiciary Committee on a bipartisan vote of 18 to 4.

What is more, the historic nature of Judge Pan’s nomination will help build a Federal bench that reflects full diversity.

I urge my colleagues to join me in supporting her.

CORONAVIRUS

Mr. DURBIN. Mr. President, less than 2 miles from this Capitol, there are 666,000 small white flags stretching across the National Mall like a sea of suffering and loss. Each of these flags represents an American life lost to COVID—666,000. Let me tell but one of them. Her name was Candace Ayers. She lived in my hometown of Springfield, IL.

Early last March, as soon as they could, Candace and her husband Terry received their second coronavirus vaccinations. That was a day of joy and relief for the family because Candace lived with rheumatoid arthritis, which weakened her immune system.

In July, she traveled to Mississippi—a State, sadly, with one of the lowest vaccination rates—to console a friend who had lost her husband. At the time, COVID infections were at a low point, and the Delta variant was just starting, so Candace thought she would be safe, having been vaccinated.

Soon after the trip, she tested positive for COVID. She was hospitalized and moved to an ICU, and she spent the last few weeks of her life on a ventilator.

She died on September 3 at the age of 66, leaving behind her husband, their son and daughter and 5-year-old triplet grandchildren.

In the obituary in my hometown paper, her family wrote: “She was vaccinated but was infected by others who chose not to be. The cost was her life.”

I read that to my wife the morning it was printed and said I have never seen a sentence or two like that in any obituary.

Experts call what took Candace Ayers’ life a “breakthrough” COVID infection, meaning an infection that occurs after an individual has been vaccinated. Breakthrough infections are typically mild, but can be devastating for immunocompromised people like Candace.

With the rise of the Delta variant, it is not just the elderly or immunocompromised who are at risk. Children made up only 3 percent of COVID cases at the start of this pandemic. Today, children account for 27 percent of new COVID infections, and the school year is just starting.

We are in the midst of yet another wave of this pandemic. COVID is once again overwhelming America’s health system, and the rate of COVID infections and deaths are dramatically higher in the areas of lower vaccination.

An article in last Friday’s Chicago Tribune tells the story in Illinois. Last Thursday was the fourth day in a row that every ICU bed in Southern Illinois was filled. In a 20-county area—home to 400,000 people—there were no ICU beds available.

Doctors, nurses, and first responders are working around the clock to care for sick patients, but after 18 grueling months, they are reaching a breaking point. And with our healthcare system pushed to the brink, everyone is feeling it.

If you live in Southern Illinois and you have a heart attack, a stroke, a serious accident, or a life-threatening condition, bad news: There are no ICU beds available for you. Hospital staffs in those areas have to call hospitals sometimes hundreds of miles away in Nashville, TN; St. Louis, MO; Kansas City, MO, to try to find a bed.

Compare the situation to Chicago, some 300 miles away but a world of difference. COVID infection rates are starting to decrease. Public health officials are hopeful they are finally turning a corner.

Why the great disparity between the Chicago regional area and Southern Illinois? One reason: vaccinations. In Chicago, two in three adults are fully vaccinated against COVID. In Southern Illinois, the figure is only one in three.

So much of the suffering and expense could be avoided if we could take the politics out of the COVID debate and stop the spread of misinformation that is literally killing people. As Candace Ayers’ family would tell you, the most important thing is that more people get vaccinated. Vaccines are safe, effective, and free—and widely available to anyone over the age of 12.

Here is a statistic that should trouble everyone. The New York Times tracks COVID vaccinations around the world using figures supplied by national governments. Where do you suppose the United States of America ranks globally compared to other countries on vaccination rates? Well, you would guess the top three, right? The top 10 for sure. How about top 20? You would be wrong. Last week, the United States ranked 55th globally for the percentage of people vaccinated. We are just behind Cambodia.

And in the wealthiest Nation on Earth and in the country that led the research and development in finding these vaccines, that is sad; it is inexcusable; and it is deadly.

Now, listen, all Americans respect individual rights, but the only way to end the pandemic is for everyone to accept the personal responsibility for our shared well-being. That is why I support President Biden's recent action to strengthen America's defense against COVID and bring this pandemic finally to an end.

Many responsible employers, large and small, have already decided on their own to require that their workers get vaccinated. I encourage more to do it. A strong majority of Americans support this policy. President Biden's decision to extend that policy to much of the Federal workforce and to private employers with 100 or more workers means that two out of three American workers will be required to get vaccinated.

We even have a situation in the Federal Bureau of Prisons where the infection rate of Federal prisoners is six times the national average. Yet fewer than half of Federal prison guards have been vaccinated—fewer than half. That is inexcusable.

Other nations have already instituted policies which encourage vaccinations. It is time for us to do the same. If we are ever going to see this pandemic come to an end, kids get back in school, and life return to normal, more Americans have to roll up their sleeves and face the reality that vaccination is the pathway to that result.

Now, sadly, while this debate is going on nationally, politicians in two dozen States, with vaccination rates below the national average, are threatening to sue the Biden administration over its new COVID policy. In other words, these Governors are saying to the President: Stop any requirement for masks; stop any requirement for vaccinations. In the war against COVID, these lawmakers in these two dozen States are siding with the virus. Their actions, if they follow through on these threats, will result in more illness, more death, and more harm to the economy.

Now, how can I say that? Well, I will tell you how—by taking a look at the numbers. Take a look at the numbers from the 24 States threatening lawsuits. The infection rate is 3,471 for every 100,000 people. How about the other States that are not filing a lawsuit against President Biden? Coincidentally, COVID death rates in those 24 States where these attorneys general are threatening lawsuits against President Biden is 31 per 100,000. The COVID death rates in the rest of the country: 11 per 100,000.

Vaccination rate: 49 percent in those States, 57 percent in the States that are not suing the President. That tells a story.

They are exalting liberty over life. This notion that we don't have a responsibility to ourselves and our family and innocent people to step forward is exactly the point that was being made by Candace Ayers' family. We do.

We bear that responsibility, and we should accept it.

Since June, the average rates of COVID infections in the 24 States threatening to sue President Biden have been double the rates of COVID infection in the other 26 States. COVID death rates in those States have been nearly three times worse than the rest of the country. These reckless political actions have deadly, real-world consequences.

President Biden's actions are reasonable; they are necessary; and a majority of the American people believe it. Politicians hoping to gin up their base by suing the President should stop and start fighting the virus instead of the President's ambitions to bring this pandemic to an end. The sooner we do that, the sooner we can end this pandemic once and for all.

I yield the floor.

I suggest the absence of a quorum.

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

The 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.

ELECTIONS

Mr. THUNE. Mr. President, Federal takeovers are being discussed in both the House and the Senate this week. The Democrat leaders announced that the Senate will once again be taking up legislation to put the Federal Government, instead of the States, in charge of elections in this country. Meanwhile, over in the House of Representatives, they are expected to vote on legislation to eliminate essentially all State restrictions on abortion, no matter how modest or how widely supported.

So what is up with all of these Federal takeovers? Well, Democrats have been pushing election legislation—what they call H.R. 1, or the For the People Act—for multiple years now. This radical legislation would provide for a massive Federal takeover of our electoral system, chill free speech, and turn the Federal Election Commission, which is the primary enforcer of election law in this country, into a partisan body, among other dangerous measures.

And the reason—the reason for this radical legislation? Well, as even some Democrats have implicitly admitted, this legislation is designed to make it easier for Democrats to win elections.

Fast forward to last week. With H.R. 1 unable to pass the Senate, some Democrats produced a modified version of this legislation. It is called For the People Act “lite.”

And while I appreciate their efforts, unfortunately, as the Republican leader said yesterday morning, “This latest version is only a compromise in the

sense that the center left compromised with the far left.” or, as the Wall Street Journal editorial board put it this morning, “Calling this bill slimmed down . . . is like touting your healthy choices after you order a Diet Coke with four Big Macs.”

The For the People Act “lite” would still impose troubling new burdens on free speech; it would still undermine State voter ID laws; it would still spend taxpayer dollars on political campaigns; it would still make it easier for those here illegally to vote; and, most of all, it would still put Washington, not State governments, in charge of elections for no reason at all.

Let's be clear. There is absolutely zero reason to have the Federal Government start dictating States' election policies—zero reason. There is no systemic problem with State election laws, and State election officials do not need Washington bureaucrats dictating how many days of early voting they should offer or how they should manage mail-in ballots.

This bill, like its parent H.R. 1, is a solution in search of a crisis. States have been doing a fine job running elections. Even Democrats have sort of had to admit that given the huge voter turnout in the last election and the fact that Democrats won, albeit by the slimmest of margins—even Democrats have had to admit that States are doing a pretty good job running elections.

So now that they can no longer tell us that our electoral system is broken, Democrats are telling us that we need election legislation like this because States are passing legislation that will, Democrats claim, threaten election access—baloney. It is just another attempt to manufacture a crisis that will justify passing H.R. 1 or some variant.

Democrats are pushing election legislation for one simple reason: because they think it will improve their chances in future elections. That is not a good reason to bring up election legislation, and I will continue to oppose any Federal takeover of elections.

South Dakota election officials are doing just fine without having their every move dictated by Washington bureaucrats.

ABORTION

Mr. THUNE. Meanwhile, Mr. President, over in the House, Members are expected to consider legislation that would, as I said, preempt virtually all State restrictions on abortion. Democrats are calling the bill the Women's Health Protection Act. A more accurate name might be the “abortion on demand act” or we could simply refer to it as what it is—probably the most anti-life legislation ever to be considered in the U.S. Congress.

This bill would eliminate pretty much any and every abortion restriction in every State across the country: parental notification laws, informed consent laws. Measures adopted by