

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 heart-break.

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.