simpl[e]: Joe Biden was now letting people in.''

We are not just talking about the fine details of border policy. The big backdrop behind this whole discussion is the sweeping leftwing amnesty plan that the Biden administration unveiled before they were even sworn in. They want to fast-track 11 million illegal immigrants into temporary legal status, then green cards, and then full citizenship.

The far left loves this approach, but so does a certain cross section of Big Business. There is a whole lot of cultural power and economic power pushing the liberal vision. As for the best interest of American workers, well, that is not as trendy a cause in certain circles.

The truth is that it is not helpful or compassionate to just open up our borders. It is not fair to American citizens and workers, but neither is it fair to the people who are being lured into a humanitarian crisis in the middle of a pandemic because they believe this Democratic administration just conspicuously turned on a neon ''Vacancies'' sign.

Republicans just spent 4 years making major headway on the security and humanitarian crisis at our border. It took serious policy changes. It took international diplomacy with multiple countries, and it took border enforcement.

The American people would be better served if the Biden administration had chosen to build on this progress instead of rapidly trying to tear it down.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.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 PRESIDING OFFICER (Mr. HICKENLOOPER). Without objection, it is so ordered.

NOMINATION OF MERRICK BRIAN GARLAND

Mr. DURBIN. Mr. President, history was made on Monday. Judge Merrick Garland finally got a vote before the Senate Judiciary Committee. It was a long time in coming. His nomination was approved by a bipartisan vote of 15 to 7. I am not surprised. He is superbly qualified to be the next Attorney General of the United States.

With experience, judgment, and integrity, he checks all the boxes. He served with distinction on the DC Circuit Court for 23 years and, in that time, developed a reputation for fidelity to the rule of law, a strict adherence to judicial independence, and a commitment to treat people with fairness, dignity, and respect. It is no surprise that he has been endorsed by 60 former Federal judges and by judges, of course, who have been appointed by Presidents of both political parties. In addition to his experience on the bench, he is a longtime veteran of the Department of Justice, where he served before he ascended to the DC Circuit.

He is uniquely qualified at this moment in history to lead the Department and to investigate and prosecute, for example, the January 6 insurrection—the mob that invaded this Capitol Building. The reason he is qualified is that he led the investigation and prosecution of the Oklahoma City bombing. We remember that very well. That was clearly a case of domestic terrorism. His work on that project won praise from across the political spectrum.

He also personally understands the Department's role in protecting civil rights. I believe he is the person to restore honor and dignity to this Department. He has support from every major law enforcement organization in the country, from 150 former Justice Department officials of both parties, from the Nation's leading civil rights organizations, and from many others—left, right, and center. His credentials are second to none, and his character—in particular, his selflessness—is a model to us all.

When we held the markup on his nomination in the committee, the most significant witness may have been a lady by the name of Mrs. Tucker. She testified on the second panel. She is the mother of two DC public school students who were tutored and mentored by Judge Garland. After the first child had received his helping hand for several years, the second child asked if she could be included in the next round, and then they both won the help of Judge Garland. Doesn't it speak volumes of a man who has reached that station in life that he would be so humble as to sit down and help children whom he had never met before find their way through life? It was a touching moment when she testified. It really was an insight into his character.

So you would think, with a 15-to-7 vote, you would think with all of these endorsements, and you would think that the fact of there being four members on the Republican Senate side of the Senate Judiciary Committee behind him that this would be a nomination of an Attorney General so important to this Nation that it would be given expedited treatment on the floor of the Senate. No. Unfortunately, there was an objection to expediting his nomination so he could get to work for the Department of Justice, and, as a consequence, we face the Senate procedure, which means that it could be days, maybe even into next week, before he can take the job. That is unfortunate. We need him now more than ever. Even Republican Leader MITCH MCCONNELL has said he would support him. CHUCK GRASSLEY, my friend and the ranking member of the Senate Judiciary Committee, voted for him.

There is just no reason the Senate should not immediately hold a vote for Merrick Garland's nomination. He is the last remaining member of President Biden's national security team to be chosen. It is time for him to take this job. The Attorney General is needed to fight the threat of domestic terrorism, which the FBI Director spoke to yesterday in the Senate Judiciary Committee, to reorganize this Department and get it moving in the right direction, and to face the many challenges when it comes to national security and the administration of justice.

We should confirm Merrick Garland immediately. I sincerely hope that whoever is holding his nomination on the other side can be persuaded to give him his chance.

CORONAVIRUS

Mr. DURBIN. Mr. President, on a different subject, I listened to the speeches of Senator SCHUMER and Senator MCCONNELL about the American Rescue Plan—Joe Biden's proposal, his initial proposal as President—to deal with the pandemic, the state of the economy, and many other aspects of American culture and life that need to be addressed. Clearly, there is a difference of opinion.

I couldn't help but think, as Senator MCCONNELL was recounting our experience last year, that when it came to the CARES Act a year ago—the $2 trillion plan to respond to the state of the pandemic and the economy, the plan that was engineered by Treasury Secretary Mnuchin, a member of the Trump administration, who argued and negotiated with Republicans and Democrats alike—that, when they finally agreed, the vote was 96 to nothing in this Chamber. Every Democrat voted for the proposed CARES Act that was engineered by the Trump administration. Party was pushed aside because the priority was our Nation. It happened again in December of last year. In President Trump's administration, with Treasury Secretary Mnuchin at the table and with Democrats and Republicans bargaining, the final vote was 92 to 6 in the Senate—not bad—and the 6 noes were all Republicans. Again, the Democrats stepped up and said: We will support this bipartisan effort because that is why we are here. The American people sent us here to do a job.

Now comes the new President, Joe Biden, who says: Good work last December, but that was temporary, and that was supposed to be a special effort. Now we have to finish the year. We have some deadlines coming. Just 2 weeks from now—or in less than 2 weeks—the unemployment insurance programs will be running out for millions of Americans, and the rental assistance program as well. Some will face eviction, and some will not have enough money to feed their families. So get to work. Pass the American Rescue Plan on a bipartisan basis.

We have yet to hear from one Republican Senator who will support President Biden's plan. Some of them have

legitimate differences with his policy, and I wish they would come to the table and be a part of the conversation, but none of them has really stepped up and said: We are in for the big effort that the President is calling for. That is what it will take. Unfortunately, because of that, in a 50–50 Senate, we will need every Democratic Senator to support the President's plan and to pass a version of what the House is sending over to us. We will go through an exercise called ''reconciliation'' in just a few days. It is not a pretty scene if you follow legislative history, but it is long overdue.

Do you know the one thing that should drive us on? It is not only the obvious need for this but the fact that the American people overwhelmingly support what President Biden has proposed. The American people believe, as he does, that we should be investing billions into more vaccines and more people to administer them. The American people believe that a cash payment to families is essential in some parts of this country. They would like to see the $600 in last December's bill complemented with the $1,400 in this proposal. They would like for us to put money on the table for people who are unemployed so they can put food on that same table, and they would like for us to get the schools ready to deal with reopening and classes that are safe for the kids and the teachers. There is no argument about that.

While 20 percent of the people may oppose it, 80 percent support it. Yet we can't find one Republican Senator to support President Biden's plan. They say it costs too much. Well, the Chairman of the Federal Reserve, Mr. Powell, a conservative Republican economist, has told us to be careful that you do too little. This economy is fragile. It needs to be strengthened. We need to inject into this economy enough of our resources so that people are back, purchasing again, and businesses are reopened. He has warned us, if you do too little and if you cut it off too soon, you are going to pay for it for years to come with unemployment and problems with the sluggish economy.

My Republican colleagues say it is just too much money. Well, I think they are wrong, and at this moment in history, I am prepared to err on the side of investing in the American people and American businesses and making certain that we have a fighting chance to put this behind us.

Our constituents know about the cost of this situation. They want us to provide the solutions. They want results from Congress. If we were to delay this payment, people would see their unemployment insurance lapse and hardships continue.

We shouldn't play politics with it either. In the two big bills last year, the Democrats were on board for plans engineered by the Trump administration. Economists believe that we need to move and move decisively.

According to an analysis by the Brookings Institution, passing a comprehensive plan like the American Rescue Plan could produce a 4-percent growth in U.S. GDP this year.

Moody's estimates that passing the same plan would create 7½ million American jobs. How about that?

We got good news over the weekend with the arrival of another safe and effective vaccine. This is the third one, the Johnson & Johnson vaccine, in our arsenal—perhaps more to follow. It holds the promise of finally getting America inoculated, vaccinated, and breaking the back of this pandemic.

This new vaccine prevents hospitalizations and deaths, stored at normal temperatures, a single shot—all good news.

But we need more than a promise of a vaccine. We need a plan. These vaccines are of no good to us sitting on a shelf or not being produced in volumes necessary.

President Biden's rescue plan, which not a single Republican supports, would provide 100 and—I think I have got the number right—$160 billion in resources for the production of vaccines and the distribution. If we ever needed it, this was the moment.

Thankfully, President Biden's leadership has led to allocations to Illinois of vaccines that have increased by 70 percent since he took over as President. We still have our challenges at the local level.

I want to salute the Governor, JB Pritzker; the mayor of the city of Chicago, Lori Lightfoot; the Cook County Board President Preckwinkle; and all the others who are doing their best.

I announced with Senator DUCKWORTH just last Friday that we are going to put a new facility in the parking lot of the United Center, where the amazing Chicago Bulls play basketball from time to time, and it is going to be able to vaccinate thousands of people every single day.

It is Federal assistance that is making it happen, and it happens to be in a neighborhood where African Americans and Latinos are nearby, and we need to protect them with even more effectiveness than we have to date. They account for 33 percent of the population of that area, and only 16 percent have been vaccinated.

The American Rescue Plan provides $20 billion to expand our vaccine distribution capacity. You would think that that would maybe attract one Republican supporter. It should. There are certainly some who argue against all vaccines and spending any money for it and all the rest, but they are such a small minority. The vast majority of Americans of both political parties understand that we have got to go to vaccinations as quickly as possible. The Biden rescue plan does that. I wish they would join us in supporting it.

There is also a need for money for education. There is $128 billion in this bill for additional education funding K–12, and there have been arguments made on the floor here by the Republicans that we just don't need it. They point to data showing that the school districts haven't spent the money that we provided in previous relief packages. Well, just talk to the principals and the teachers in your home State about that conclusion. You will find the money is desperately needed and that the money that has been appropriated before will be spent in an orderly way and not shoveled out the window.

We are looking ahead to the entire year and making certain that we have a real school year—perhaps the remainder of this year but certainly for next year. Illinois needs these funds and America does.

When it comes to State and local support, I have to tell you, we have paid a heavy price in our State of Illinois and our major cities. We have seen expenses go up and we have seen revenue go down and we need help, not unreasonable.

This helping hand will save jobs that are necessary for us—some of them healthcare jobs, some of them security and safety jobs, but they will save jobs, and that is why the State and the local resources included in this bill are so important and timely.

Over the past year, States and localities have lost 1.3 million jobs of their payrolls, far more than the 750,000 lost in the great recession. There is needed help from the Federal Government, and it is needed now.

We have recovered just 12 million of the 22 million jobs we have lost since the start of the pandemic.

According to the Consumer Financial Protection Bureau, more than 8 million rental households and 2 million homeowners were behind on housing payments at the end of last year. The burden is tough, and for those of us lucky enough to have escaped it, we may not know the feeling, the empty feeling of eviction or the loss of a home that you have paid a mortgage on for years.

I am going to close. I see one of my colleagues on the floor preparing to speak, but I would like to close with the story of Galen Hensen from Midlothian, IL.

For 34 years, Galen has supported touring artists through his work in live concert production for some of America's most iconic musicians. When the American economy was upended by the pandemic, his industry froze to save other lives and to avoid crowds.

Like so many others, Galen went on unemployment. Yet, even with the Federal $600 supplement to State unemployment, he had only half of his regular income replaced. He struggles—still struggles to make ends meet. He wrote to me urging that we put aside our partisan differences and pass the American Rescue Plan. Let's listen to Galen, and let's listen to many others like him. They are counting on us.

I hope when all is said and done after all the speeches, that just as we came together on a bipartisan basis to pass the rescue plan twice last year—96 to

nothing, 92 to 6—under the Trump administration, with all Democrats supporting it, wouldn't it be great if we showed that same bipartisanship again.

I yield the floor.

The PRESIDING OFFICER. The Republican whip.

BUDGET RECONCILIATION

Mr. THUNE. Mr. President, less than 2 months ago, President Biden emphasized a theme of unity at his inauguration.

''Today, on this January day, my whole soul is in this,'' he said. ''Bringing America together. Uniting our people. And uniting our nation.''

Admirable words, but so far they haven't been met with much action. On the first big legislative test of his Presidency, coronavirus legislation, President Biden and Democrats in Congress have pursued a resolutely partisan course.

They have not only failed to invite Republican input in any meaningful way, they deliberately excluded it by passing their coronavirus package using budget reconciliation.

This allows them to pass the bill in the Senate by a simple majority vote, instead of requiring the concurrence of 60 Senators to move to a vote on the bill, which is typically how legislation is passed here in the Senate, including the five coronavirus bills that we passed last year, when the Republicans had the majority here in the Senate.

Now, Democrats' decision to use reconciliation might be understandable if Republicans had declared our opposition to any further coronavirus legislation, but, of course, that is not the case.

Republicans made it clear that we were willing to work with Democrats on additional coronavirus legislation. In fact, 10 Republican Senators put together a plan and met with President Biden for 2 hours to discuss a bipartisan agreement. But while the President listened to them graciously, Democrats and the President quickly made it clear that they intended to move forward without Republican input.

Two days after Republicans met with President Biden, the House passed its partisan budget resolution to pave the way for reconciliation here in the Senate. Two days later, the Senate followed suit.

Clearly, there were no plans to let negotiations with Republicans slow down the partisan juggernaut. In fact, Democrats have been pretty determined to make sure Republicans don't have a voice in this legislation at all.

During markups of the COVID relief package in House committees, Republicans offered a number of amendments: 245 amendments, to be exact. Out of those 245 amendments, Democrats accepted exactly one for the final bill—one.

Among the amendments House Democrats rejected were commonsense proposals to tie school funding to the reopening of schools. There was an amendment to unfreeze funding for the Coronavirus Food Assistance Program for farmers and ranchers. There were amendments to target funding to overlooked rural communities and an amendment to protect healthcare providers from frivolous lawsuits.

The one thing that can be said for the House is at least it gave Members in the House a chance to review the bill in committee. Here in the Senate, Democrats' COVID package will come to the floor without any committee consideration. Senators are just supposed to accept whatever the House sent over or whatever changes the Senate Democratic leader makes, minus those items that are excluded from a reconciliation package by Senate budget rules.

Democrats' partisan course on COVID legislation is particularly disappointing because up until now, COVID relief has been a bipartisan process.

That is right. To date, Congress has passed five COVID relief bills, and every single one of those bills was overwhelmingly bipartisan.

The Republican-led Senate took up and passed COVID relief legislation by margins of 96 to 1, 90 to 8, 96 to 0, 92 to 6, and one even went by voice vote here in the Senate.

Back then, of course, Democrats thought that the minority party should have a voice in the process. In fact, the Democratic leader filibustered the original CARES Act, our largest COVID bill to date, multiple times until he got a version that he was satisfied with.

Now that the Democrats are in the majority, however, they have decided minority representation can be dispensed with. It is Democrats' way or the highway on COVID legislation. Republicans and the Americans that they represent will not be allowed to contribute.

I guess it is not surprising. After all, if the Democrats had pursued a bipartisan process, they would probably have had to eliminate some of the non-COVID-related provisions in this legislation, like the $86 billion bailout of multiemployer pension plans, hardly a coronavirus emergency.

They might have been forced to trim their slush fund for States and ensure that the distribution formula wasn't weighted heavily in favor of blue States.

The Senator from Illinois was just down here talking about the importance of helping out the States. Well, under the formula that they have designed for this relief package, the dollars skew heavily, surprisingly, to States like New York, where the Democratic leader is from, or California, where the House Speaker is from, or Illinois, where the Senate Democratic whip is from.

It seems like a lot of States around the country sort of got left out when it came to how to distribute what is going to be a huge amount of money that is going to go out to State and local governments if the Democrats have their way with this bill. They might have had to reject the measure to give labor unions and Planned Parenthood access to loans designed to help small businesses—again, hardly something that we ought to be doing in a coronavirus relief bill that is designed to make sure that small businesses stay viable, but it does satisfy a lot of Democrat special interest groups.

They might have had to tie funding for schools to school reopening—seems like a fair consideration. There was an amendment offered during the budget resolution when it was being considered on the floor of the Senate that would have required schools where every teacher had the vaccination to reopen in order to qualify for Federal assistance under this legislation, but there is nothing about that in this bill. There is nothing that, of all the money, the $128 billion that will go out to schools—by the way, we put $68 billion out there already, much of which hasn't been spent. But with all this money that would go out to schools, there is no stipulation anywhere in this legislation that would attempt to tie funding for schools to their reopening so that we can get our kids back to school and learning again in that environment.

In fact, it would be arguable, I think, that the schools, if the teachers can get vaccinated—and that was the very language of the amendment that was offered in the budget resolution by Republicans. It was defeated here in the Senate on a 50–50 vote. All Republicans voted for it, all Democrats against it. But again, all it simply said was that if you are going to get Federal funding under this bill and all of the teachers in your school are vaccinated against the coronavirus, then you have to reopen. If you don't reopen after all the teachers have been vaccinated, then you don't get funding under this bill. That seems like a fairly straightforward request, given the fact that so many schools across this country and so many of our kids continue to have to learn virtually at a time when we need to have them in the classroom. This is obviously something that wasn't included in this legislation.

I would argue that all the changes that I have just mentioned would have made the bill better, but they might not have made the Democrat allies as happy. This whole process could have been different. We could be here today with another bipartisan COVID bill that would speed up vaccination and help our country through the rest of the pandemic. In fact, as I said, there were lots of Republicans who were interested in negotiating, sitting down with Democrats to do just that.

The Democrat whip, the Senator from Illinois, was down here saying: Wouldn't it be great if this could be bipartisan like the other bills we have