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## Senate

The Senate met at 10 a.m. and was called to order by the Honorable RAPHAEL G. WARNOCK, a Senator from the State of Georgia.

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Almighty God, the center of our hope, as the Russian war against Ukraine reaches its 20th day, we keep our eyes on You. We thank You for Your might, majesty, and power. You are the source of our strength, and the hope for all our tomorrows.

As our lawmakers strive to do their best for freedom, make them worthy of their high calling. May the lure of expediency never tempt them to betray the highest principles.

Lord, use our Senators to build a better and more peaceful Nation and world. May they maintain the fidelity of those to whom much has been given.

We pray in Your sovereign Name. Amen.

### PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).

The senior assistant legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, March 15, 2022.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby

appoint the Honorable RAPHAEL G. WARNOCK, a Senator from the State of Georgia, to perform the duties of the Chair.

PATRICK J. LEAHY,  
President pro tempore.

Mr. WARNOCK thereupon assumed the Chair as Acting President pro tempore.

### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

### 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 and resume consideration of the following nomination, which the clerk will report.

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

#### RECOGNITION OF THE MAJORITY LEADER

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

#### NOMINATIONS

Mr. SCHUMER. Mr. President, so the Senate this week will continue fulfilling its constitutional duty to confirm more of the President's judicial and administrative nominees. Yesterday, I filed cloture on 12 additional nominees, setting up a busy rest of the week here on the floor. Absent an agreement to expedite the process—and, unfortunately, we have seen all too few of those coming from our Republican colleagues—Members can ex-

pect to begin voting tomorrow morning, and we will work through all 12 nominees until we have a path to getting them confirmed.

Due to the months of obstructive holds by a few—just a handful of Republicans—in addition to judicial nominees, we also must use up floor time to confirm U.S. attorneys, something practically unheard of in the Senate. These Republicans who have delayed our U.S. attorneys are actively making our communities less safe, and it is regrettable they have chosen to obstruct the Senate for their own personal political interests. So my colleagues ought to be prepared for a busy few days here on the floor.

Now, among the nominees we will consider are two great nominees from New York, I am proud to say. One, we will consider Judge Ali Nathan, nominated to serve as judge for the Second Circuit. She is a brilliant jurist with a decade of experience as a district judge, and I was proud to recommend her to sit on one of the most important courts in the Nation.

I am also pleased that the Senate will also vote on Hector Gonzalez to serve as district judge for the Eastern District of New York. Born in Cuba, raised in Queens, and a Fulbright scholar who became one of New York's top attorneys, Mr. Gonzalez is the very embodiment of the American dream; and, like Judge Nathan, I am glad to have recommended him to President Biden.

I am also glad to note, under Senator DURBIN's leadership, Judge Nathan and Mr. Gonzalez received bipartisan support in committee, so I look forward to the Senate confirming them in short order.

But first, the Senate will look to make history, once again, later today by confirming Shalanda Young to serve as President Biden's Director of the Office of Management and Budget, a Cabinet-level position. She would be the first Black woman ever confirmed by the Senate to lead the OMB.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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It shouldn't have taken this long to confirm someone as obviously qualified as Shalanda Young. She has been leading the OMB for nearly a year. She knows the budget and appropriations processes like the back of her hand. She has proven capable of working with Republicans and Democrats alike, and it was through her guidance that the administration notched some of its biggest victories, including the passage of the bipartisan infrastructure law.

Shalanda Young is one of the most effective Cabinet leaders to have the label of "Acting" in a very long time, but it is long past time for that word to drop from her job title. I look forward to the Senate officially confirming Ms. Young as OMB Director later today.

#### CONSOLIDATED APPROPRIATIONS ACT

Mr. President, now on the omni, later this afternoon, I will join with a number of my Senate colleagues in attending a signing ceremony at the White House for the 2022 omnibus funding bill, one of many significant and bipartisan accomplishments of the Senate in recent weeks.

In a 50-50 Senate, it is no small feat for this Chamber to pass the boldest and most significant funding package that Congress has seen in a long, long time. Under this new package, students, parents, working families, small businesses, and veterans will see costs go down and greater investments go their way. Our troops are going to get a much needed raise. Student loan borrowers will see their maximum Pell grant awards increase by the largest amount in over a decade, impacting 7 million students, not to mention their families.

We are giving parents more help for affording childcare and seniors more help to receive care at home.

For the first time in years, the Violence Against Women Act, one of the most important pieces of legislation in the last 30 years, will finally be renewed, offering lifesaving resources for survivors of domestic violence and sexual assault.

And, of course, we are keeping our promise to Ukraine by providing nearly \$14 billion in humanitarian and military aid. This means food and shelter for the millions trapped in war, relief for the now-3 million refugees fleeing the country, and funding to transfer Javelins, Stingers, and other anti-tank and anti-aircraft weapons to the Ukrainian fighting forces.

The Ukrainian people are not alone in their struggle against Vladimir Putin's savage war. I commend my colleagues on both sides of the aisle who accelerated the passage of this emergency funding, and I again commend President Biden for his handling of the crisis to date. As I said weeks ago, the President deserves immense credit for keeping the allies together against Putin, imposing crippling sanctions on Russia, and responding to a turbulent conflict with clarity and with strength.

Some were pushing the President to do too much too soon, risking an esca-

lation of the crisis and risking that our allies would not join us, but so far, the President's approach has been right on target. Thanks to the President's approach, Putin is now one of the most reviled and isolated leaders that the world has seen in a very long time.

For this reason alone, signing the omnibus into law is a major accomplishment, and I thank the President, Senators LEAHY and DURBIN, and all our appropriators and Members on both sides of the aisle for getting it done.

#### NOMINATION OF KETANJI BROWN JACKSON

Mr. President, now on SCOTUS, what do retired conservative judges, a group of 80 current and retired State attorneys general, the U.S. Black Chambers, and the International Association of Chiefs of Police all share in common? You might ask yourself that question. Well, they are just a few—just a few—of the many, many groups and individuals who have endorsed Judge Ketanji Brown Jackson for the Supreme Court.

When I met with Judge Jackson a few weeks ago, it was immediately clear why so many different groups have sung her praises. On top of her brilliance, on top of her experience, she is unusually gifted at seeing and appreciating both sides of an argument. It is little surprise, then, that in the course of rendering nearly 550 decisions as a Federal district judge, she was rarely reversed by higher courts. In fact, she has been reversed perhaps around a dozen times out of 550 decisions. That is about 2 percent—2 percent—of the time.

This week, Members from both sides of the aisle will continue meeting with the judge. I believe, under Senator DURBIN's leadership, every member of the Judiciary Committee has had the chance to meet with her. I am confident that any new conclusions my colleagues make about her will keep pointing in one direction: Judge Jackson is brilliant. She is beloved. She belongs on the Supreme Court. It is worth repeating the three b's over and over again—brilliant, beloved, belongs—because those three words are undoubtedly true as applied to Judge Jackson.

I yield the floor.

#### RECOGNITION OF THE MINORITY LEADER

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

#### UKRAINE

Mr. MCCONNELL. Mr. President, American strength is not a provocation. American strength secures deterrence and peace. It is American hesitancy and weakness which our adversaries see as an invitation. It is a simple fact. We relearned it the hard way many times in our history. It should form the cornerstone of any administration's foreign policy, but every day brings new distressing signs that the Biden administration forgets this lesson.

President Biden hesitated and waited to reinforce our NATO allies with more

American troops out of fear that it might provoke Putin. President Biden hesitated and waited to send Stingers to the Ukrainians out of fears that it might provoke Putin. President Biden declined to send support and training to Ukraine in December because he feared it might provoke Putin.

Here is a headline from earlier this week:

Pentagon push to send more trainers to Ukraine was scrapped in December amid White House fears of provoking Russia.

Last week, President Biden publicly split from our ally Poland and scrapped a plan to get airplanes to Ukraine because our administration feared it might—you guessed it—provoke Putin. Predictably, Putin has not pulled his punches as a thank-you to President Biden for pulling his punches.

American strength is not the provocation; American weakness is. We need to help get air defense systems to Ukraine without wasting another second.

But, meanwhile, the Biden administration is already replaying this mistaken philosophy with another adversary. Iran watched our humiliating, botched retreat in Afghanistan. They have watched the Biden administration squabble with our Middle Eastern partners while removing sanctions from Iran's own terrorist proxies in Yemen.

The Iranians have taken the measure of this administration. This weekend, even as the Biden administration is reportedly putting the finishing touches on an agreement deal that would massively favor Iran over America, they unleashed an audacious—audacious—missile strike into the Kurdistan region of Iraq that came very close to hitting our U.S. consulate.

How will our Commander in Chief respond? The record is not encouraging. Deterrence of Iran has steadily eroded under his tenure. The worse the Iranians behave, the more desperate the Biden administration seems to be to give them concessions.

Judging by public reports, the deal that President Biden is preparing would impose fewer, weaker, and shorter restrictions on Iran than even the deeply flawed 2015 deal, while giving them major and lasting relief from sanctions.

The deal would reportedly not even touch Iran's ballistic missile program. So Iran lobbs missiles toward our facilities, and we give Iran a huge influx of cash and a relaxation of pressure.

Iran clearly does not fear that they will pay a price for threatening American interests. They must be made to think again.

Yesterday, Senate Republicans sent the administration a letter expressing our grave concerns that they are preparing once again to give away the store. Republicans stand ready to work together on a real, tough agreement that blocks Iran's path to nuclear weapons, constrains its missile programs, and confronts its support for terrorism. But if the administration

continues down the path they are on, they will find the stiff opposition that that path deserves.

#### NOMINATION OF SARAH BLOOM RASKIN

Now, on another matter, there is bipartisan Senate opposition to Sarah Bloom Raskin, President Biden's radical and unacceptable nominee for the powerful Federal Reserve Board position of Vice Chair for Supervision.

Runaway inflation is hammering American families. Democrats' reckless policies have backed the Fed into a very tricky corner. Just this morning, the new "Producer Price Index Report" showed wholesale inflation is up 10 percent—10 percent—over 12 months, tied for the worst year ever.

At a time like this, the Fed's independence is paramount. But President Biden's nominee for this powerful seat has spent years campaigning to turn the Fed from a nonpartisan central bank into a far-left superlegislature that voters cannot get rid of.

Explicitly and repeatedly, she has called for the Fed to go about picking winners and losers in accord with liberal ideological goals completely unrelated to the Fed's core duties.

The far left cheered Ms. Raskin's nomination for the same reason that Senators from both parties oppose it. She wants to take radical policy aims that liberals can't achieve through Congress and hardwire them directly into our financial system instead.

President Biden was literally asking for Senators to support a central banker—a central banker—who wanted to usurp the Senate's policymaking power for herself.

Ms. Raskin would have been a Vice Chair who sought to raise gas prices, raise home heating costs, and undermine the very institution of the Federal Reserve in the process.

It is not surprising that there is bipartisan Senate opposition to such a radical nominee. Even before one considers the unanswered ethical questions to which the Banking Committee has not been able to get straight answers, President Biden's selection wildly—wildly—missed the mark. It is past time the White House admit their mistake and send us somebody suitable.

#### NOMINATION OF KETANJI BROWN JACKSON

Now, on one final matter, what can the Senate conclude about a Supreme Court nominee from the nature of their fan club?

That is a question the Democratic leader answered very clearly a few years back. In 2005, Senator SCHUMER accused future Chief Justice John Roberts of being "embraced by some of the most extreme ideologues in America."

Our colleague continues:

That gives rise to a question many are asking: What do they know about you that we do not know?

That was Senator SCHUMER questioning the Chief Justice. Of course, there was nothing extreme about then-Judge Roberts, nor about mainstream scholarly groups like the Federalist

Society. But given Democrats' principle that the Senate ought to examine nominees' fan clubs, let's take a look at the loudest cheerleaders for President Biden's nominee, Judge Jackson.

Before the 2020 election, one far-left dark money group put Judge Jackson on their Supreme Court short list—well, not at first. She was left off their first version, but, shortly thereafter, the judge published a fiery 118-page opinion in a politically charged case that won attention and praise from liberal pundits.

One cable TV host observed that Judge Jackson's opinion was not standard legal writing, but was written with "a broader audience in mind."

Not long after, Judge Jackson was added to the next version of the activists' short list. Practically as soon as President Biden was sworn in, this group began spending big sums of money boosting Judge Jackson's profile. They put her face on posters around the Senate. They paid for billboards pushing Justice Breyer to retire.

This is a far, far-left group. They agitate for partisan Court packing. They drive around town trying to harass Justice Kavanaugh. They filed a frivolous ethics complaint against former DC Circuit Judge Tom Griffith. Last week on television, one of their board members said our Constitution—listen to this—our Constitution "is kind of trash."

This group's entire purpose and fundraising model is waging war on the legitimacy of the judiciary itself, and for some reason, these people desperately wanted Judge Jackson in particular to end up on our highest Court. Why? Well, Senators will need to explore that.

A representative from this radical outfit told the Washington Post that they like Judge Jackson for reasons that include her work "as a public defender and on the U.S. Sentencing Commission."

We are in the middle of a violent crime wave, including soaring rates of homicides and carjackings. Even last summer, when the pandemic posed a bigger challenge, more Americans said violent crime was a bigger problem than said COVID was.

Amid all this, the soft-on-crime brigade is squarely in Judge Jackson's corner. They wanted her above anyone else on the short list. And they specifically cite her experience defending criminals and her work on the Sentencing Commission as key qualifications.

As Leader SCHUMER once asked, what do these folks know that Senators may not? I hope the vigorous Senate process ahead, including all the necessary documents and records from Judge Jackson's time on the Sentencing Commission, may begin to shed more light.

The ACTING PRESIDENT pro tempore. The majority whip.

Mr. DURBIN. Mr. President, I am glad I was on the floor to hear the Re-

publican leader's comments about our Supreme Court nominee, Ketanji Brown Jackson, because there are a couple of elements that he obviously inadvertently missed that he should have reported when he was talking about the support that she has received from across the political spectrum. He made her out to be a product and creation of some far-left political cause or movement, but she is much more than that.

He went on to say that Judge Thomas Griffith of the DC Circuit was harassed by the same special interest group that supports Judge Jackson. He missed one key element. I just received a letter within the last 2 weeks from Judge Thomas Griffith, a well-known, retired, conservative Federal judge, endorsing Ketanji Brown Jackson. How about that?

It doesn't sound like a special interest group to me. It sounds like a Republican-appointed judge who saw her in action and wants to make sure that she gets a chance to serve on the Supreme Court of the United States.

It makes a big difference because, if you take a look at what he had to say about her, Judge Griffith wrote:

Judge Jackson has a demonstrated record of excellence, and I believe, based upon her work as a trial judge when I served on the Court of Appeals, [that] she will adjudicate based on the facts and the law and not as a partisan.

That is exactly the opposite of the point that was being made by Senator MCCONNELL. She has the support across the political spectrum. He failed to mention that she has been endorsed by the Fraternal Order of Police.

Oh, she is supposedly suspect of being too liberal. Well, I can just tell you that she is a person of quality, integrity, and values, and she has the support across the political spectrum to prove it.

I believe she is going to be an extraordinary Justice on the Supreme Court, and President Biden made a good choice in selecting her.

#### UKRAINE

Mr. President, moving to a different topic, what does courage look like? What does the face of courage look like? Well, we see it every day on television out of Ukraine. We see individuals leaving their regular lives, grabbing a rifle to defend their nation, and being prepared to die in the process. That is the face of courage.

We see the face of courage in the President of Ukraine, an extraordinary individual, who once was a rising standup comedian and now is a rising standup President for his nation of Ukraine, risking his life every day to stay in Kyiv and to be there to inspire his people to resist Putin's barbaric invasion of that country.

We are going to see that tomorrow in the joint session of Congress. It is the first Zoom joint session of Congress that I have ever been in attendance, and I am glad we are doing it. For the last several weeks, I have been in touch

through Zoom conference calls with President Zelenskyy. He is a courageous man.

But courage is not limited to Ukraine. An event occurred yesterday in Moscow which bears our approval and consideration. On state-run television in Moscow, a woman was reading the propaganda that was on the show, when an employee of that same channel burst on to the set and interrupted the news broadcast.

Her name is—and I am going to try to pronounce her Russian name here—Marina Ovsyannikova—Marina Ovsyannikova. That is her, standing there holding a sign saying “no war.”

She was wearing a yellow and blue necklace, the colors of Ukraine.

And this woman, an actual editor at Channel One in Moscow, shouted:

Stop the war. No to war.

Their sign says:

Don't believe the propaganda. They are lying to you here.

It was signed in English:

Russians against war.

Now, this might have been something just viewed as a disruption, but in Russia under Putin, her actions constitute a crime.

What has happened to her? Well, we don't know. She disappeared shortly after this appearance on television.

Under a new law, she could be sentenced to up to 15 years in prison for using the word “war” to describe Russia's invasion of Ukraine.

But she was unbowed. Before her protest, she recorded a video which has been released through human rights group. I want to read for you what she said in this video:

Regrettably, for a number of years, I worked on Channel One and worked on Kremlin propaganda. I am very ashamed of this right now.

She said:

Ashamed that I was allowed to tell lies from the television screen. Ashamed that I allowed the zombification of the Russian people. We were silent in 2014 when this was just beginning. We did not go out to protest when the Kremlin poisoned [opposition leader Alexei] Navalny.”

She continued:

We are just silently watching this anti-human regime and now the whole world has turned away from us.

She told her countrymen and women:

Only we have the power to stop all this madness. Go to the protests. Don't be afraid of anything. They can't imprison us all.

I believe that if more ordinary Russians knew the truth about what Vladimir Putin is doing in Ukraine, they would join her protest.

Russian media aren't reporting the truth: that Russia has lost more soldiers in the first 20 days of its invasion of Ukraine than America lost in two wars in Iraq and Afghanistan. And Russian media aren't reporting on Russia's war crimes in Ukraine, like the horrific shelling last week of a children's and maternity hospital in Mariupol.

Yesterday, we learned that the injured woman on the stretcher in this

photo had died, as had her baby. It was a type of outrage which the American people will never forget and shouldn't. This was an intentional target, this maternity hospital, by Putin. He has bombed health clinics and hospitals across Ukraine. That is the type of person he is. That is the type of war he wages. That is the type of war criminal he is. Every one of these attacks is a violation of international law.

At least three facilities that serve women and children have been subject to attack, and innocent civilians have been killed. Throughout Ukraine, continued explosions and the threat of shelling have forced hospital staff to move critically ill children and other patients into bomb shelters in the basements. Children suffering from cancer, wartime injuries, and other serious conditions have been forced to move to western Ukraine by bus and train.

Throughout Ukraine, critical medications—insulin, cancer drugs, and other infusions—are in short supply, but the world is responding. We have seen an outpouring of revulsion against Putin and his war crimes. But we have also seen an outpouring of compassion, as governments and ordinary citizens step forward to aid Ukraine.

Last Wednesday, a group of nine doctors and nurses from the Chicago area flew to Poland to volunteer to help Ukrainians fleeing the war. They brought with them 167 suitcases filled with medicines and medical equipment.

Advocate Christ Medical Center in Oak Lawn, IL, donated nearly \$500,000 in equipment—all paid for in donations raised in just 72 hours.

The group included Ukrainian Americans, Lithuanian Americans, Polish Americans, Syrian Americans, and Pakistani Americans. The trip was organized by a nonprofit group called MedGlobal. It was founded by a man who is my friend, and I am proud to say that, an amazing Syrian-American doctor named Dr. Zaher Sahloul.

Over the years, this organization has taken medical missions to Syria, Burma, and other places torn by the conflicts that do emerge in these areas.

On this trip, the doctors and nurses spent 2 days in Lviv, providing medical care alongside Ukrainian doctors. They then returned to the Polish side of the border to provide aid to refugees in local hospitals.

Let me say a word about the refugees who are currently inside Ukraine and leaving Ukraine. The estimate now is that a nation with a population of 40 million, Ukraine, has more than 3 million refugees. Let me put that in perspective for a moment. Three million refugees in a matter of 20 days of war—can you imagine? If it were the United States and a similar proportion of the population, it would mean moving the population of the State of Texas out of the United States in 3 weeks. That is what is happening because of the terrible war and invasion of Vladimir Putin.

Providing medical assistance doesn't stop with what I have read into the RECORD. Chicago is also blessed with one of the finest pediatric hospitals in America, Lurie Children's Hospital. Lurie Children's has shipped 1¼ tons—1¼ tons—of medical supplies and medical equipment to Ukraine.

Staff at Lurie Children's are now exploring with Federal officials how they might help bring some of Ukraine's most critically ill children to the United States for needed medical treatment. The hospital spokesman called me last week to say that she was initiating an effort nationwide in the United States to ask every children's hospital to pitch in. If there are kids in Ukraine or out of Ukraine now as refugees who are in desperate need of medical care, America is going to be there.

I am so proud of Lurie Children's and all the other children's hospitals across the United States. They are exploring the same opportunity and challenge. I applaud America's children's hospitals for answering the call over the next several days to provide medical support for pediatric patients in critical need. I urge our Federal Agencies to assist in logistical challenges. Together, we can save these children's lives.

Tomorrow morning, a truly heroic leader, Ukrainian President Volodymyr Zelenskyy, will address a virtual joint session of Congress. He will ask Congress and the American people to stand with Ukraine, to defend democracy and human dignity and to bring this horrific war to an end. We must answer that call. This fight is not Ukraine's alone; this is a fight for democracy and the right of people to choose their own leaders, decide their own destiny.

I will close with these thoughts—one from Garry Kasparov, a chess grandmaster, Russian expatriate, and fierce critic of Vladimir Putin.

Yesterday, Garry Kasparov tweeted:

Letting Putin crush Ukraine and murder thousands of innocents in a European war of conquest will redefine the world order. So would stopping him. We choose by action or inaction which world we want to live in.

America should choose to stand with Ukraine.

Slava, Ukraini.

One last point. Zelenskyy made a very important observation when it came to Putin and his future. I don't know if there are enough brave Russians to stand up to him—I hope there are—to depose him from power in that country, but if they don't, we are naive to believe that Ukraine is the end of his conquest agenda. He wants to restore the Soviet Union, and many of us know what that means—the Baltics. It means Lithuania, Latvia, and Estonia, as President Zelenskyy reminded us, would be the next target. They are small. They are near Russian populations. They are near Belarus, which has become a pawn of Vladimir Putin, and they are vulnerable.

The only thing standing between the Baltics and subjugation by Vladimir Putin is the document known as the

NATO charter. It is an agreement of an alliance where every nation under that flag will stand to defend the other under attack.

Most of us don't remember, but after 9/11/2001, the NATO allies came together and said that the United States had been attacked under article 5 and that they were willing to defend us if the terrorism continued. That is the kind of solidarity which we needed then and which the world needs now.

The NATO alliance was, unfortunately, weakened under the last President, but they have come around now to become a powerful force.

Just last week on Thursday, 10 of the Ambassadors from European nations gathered in a room and talked to us about their solidarity behind our effort to support Ukraine. It was a positive meeting, a good feeling, and I am glad that the NATO forces understand their responsibility and are prepared to defend these countries that are involved.

There is one last point I want to make because it is so outrageous, I believe it should be reported. The question really comes down to an interview of Donald Trump, the former President of the United States, by Jeanine Pirro on FOX television. He called Putin's invasion of Ukraine a project to rebuild a Soviet empire that had been, in the words of Donald Trump, "full of love." Full of love, a Soviet empire?

Unfortunately, the former President has no knowledge of history, nor does he have any understanding as to what happened to the countries under the subjugation of a Soviet empire, how they were forcefully brought into that alliance, which they never wanted to be part of. He obviously doesn't recall that 4 million Ukrainians died in the famines of the 1930s under Joseph Stalin's Soviet rule.

At one point, Ronald Reagan called the Soviet Union an evil empire. For Donald Trump, it is "full of love." How can he be so far wrong and not see the obvious—that Putin is not the spiritual man he was once identified as? He is a ruthless war criminal, and innocent people are paying the price for his outrages.

#### E-CIGARETTES

Mr. President, there is something else that is going on on the domestic front. Each of us kind of defines our career in Congress as what is important to us, and when I came to the House of Representatives, I had a little planning behind the decision to take after the tobacco companies.

My family was touched by tobacco death, as so many families are. I lost my father when I was a sophomore in high school. I was 14 years old; he was 53. He died from lung cancer. Two packs of Camels a day did it to him.

I decided in the House of Representatives I would start to take what action I could to stop the tobacco companies in their deadly march across America. So one of the things I did was to ban smoking on airplanes, put the law into effect, and it has changed dramatically not just air travel but life in America.

I had no idea that that was a tipping point, and once we banned smoking on airplanes, people would say: Well, why didn't you include schools or office buildings or hospitals or veterans facilities or buses or trains? And the dominoes kept falling. Now it is peculiar, it is strange, should someone walk into a room and light up a cigarette. It just doesn't happen. So that much was done.

But the tobacco companies didn't stop, even after they were proven to be liars under oath before the U.S. House of Representatives when they were asked whether or not tobacco caused cancer.

My new cause, again, against tobacco companies relates to e-cigarettes and vaping.

It has been 6 months—6 months. That is how long past a court-ordered deadline the Food and Drug Administration is to finish its public health review of e-cigarettes—6 months. As an attorney, if my client were 6 months late in meeting a court order, there would be major consequences, but for the FDA, it appears to be business as usual.

Mind you, this is not some bureaucratic squabble. The issue at stake is whether or not the Food and Drug Administration will do its job to prevent children in America from getting hooked on e-cigarettes that are being peddled by big tobacco companies in violation of the law.

You see, the Tobacco Control Act, the law of the land, requires that tobacco products be reviewed by the FDA before they can even be sold. The law says tobacco companies must prove to the FDA that their product is "appropriate for the protection of public health." They can't meet that standard. Everyone knows it. If they don't meet it, they are not supposed to be sold in the United States, period. That is the law.

But instead of doing its job, the FDA turned a blind eye for years at e-cigarettes and vaping—many funded by the largest cigarette corporations like R.J. Reynolds and Altria. Those companies flooded the market with flavored e-cigarettes meant to hook our kids. The result: Millions of children became addicted to e-cigarettes. Big Tobacco intentionally targeted children with trendy advertisements and fruit- or candy-flavored nicotine products.

These actions and FDA's failure to regulate e-cigarettes were a flagrant violation of existing law, so in 2019, a Federal judge stepped in and called the Agency out for its abdication of responsibility. The judge found that the Food and Drug Administration "decided not to enforce the pre-market review provisions at all." So the Federal court gave the FDA a deadline. Listen carefully. It required the FDA to complete its review of the legality of all e-cigarettes being sold in the United States by September 9, 2021.

When that deadline arrived 6 months ago, FDA announced that it had denied millions of applications for e-cigarettes

that had no business on the market. That was important and long overdue. However, a new trend emerged. Vaping companies, including many whose products had been denied by the FDA, were attempting to circumvent the law by reinventing their products.

Many e-cigarette companies tried to use so-called synthetic nicotine. We know nicotine—it is the habit-forming drug that is included in tobacco cigarettes. So they decided that if they made nicotine not out of tobacco but out of other chemicals, they would escape the reach of law.

The day after the FDA ordered Texas-based VaporSalon to remove its products from the market, the company announced:

VaporSalon is switching to tobacco-free nicotine . . . the main purpose of this is to be outside of FDA's regulations.

They were very bold about it. They wanted to hook our kids with synthetic nicotine and were arguing the government couldn't stop them.

The e-cigarette most popular with children is known as Puff Bar. It uses synthetic nicotine to escape the reach of the FDA. They peddle these addictive cigarettes to our kids in flavors not designed for any adults. Listen to the flavors: Blue Raz, Lemon Ice, Watermelon.

FDA is asleep at the wheel. But Congress recognized this problem recently and did something about it. The fiscal year 2022 omnibus bill that passed last week contains a bipartisan provision that I worked on with Senators COLLINS and MURRAY. Our policy closes the synthetic nicotine loophole.

When President Biden signs that law today, we are going to see this law go into effect and clarify the FDA as the authority to regulate synthetic nicotine products and to keep those e-cigarettes off the market. Congress is saying clearly that we will not allow predatory vaping companies to target kids for profit. Now, it is the FDA's duty to do the same.

I recently voted for the new Director, Dr. Califf, and I said to him: I am going to watch you, and I am going to be on you like a hawk. You have a Federal legal responsibility to stop these e-cigarettes from being sold to our kids. Don't waste time.

I hope he doesn't. I hope the FDA will use their new authority.

JUUL and Puff Bar are two companies most responsible for fueling the youth vaping epidemic. They continue to be sold despite court-ordered deadlines and despite the fact they use these kid-friendly flavors and tactics.

So why has the FDA not removed them? Why are more teens and even preteens still getting hooked on e-cigarettes? FDA has the authority to clear all unauthorized e-cigarettes from the market and force their sellers to prove that their products—it is their legal responsibility to prove their products are appropriate for the protection of public health.

Good luck. They are not going to be able to do that, and we know it.

Last week, I led a bipartisan letter with Senator ROMNEY, Republican of Utah, and 13 other Senators saying to the FDA to do three things: finish the review of e-cigarettes immediately; reject the applications for e-cigarettes, especially kid-friendly flavors; and No. 3, clear the market of all unapproved e-cigarettes.

Last month, when the Senate approved Dr. Califf, I made it clear that I wanted to treat this matter as an urgent requirement and to clear the backlog. Congress has now given him every tool he needs. Today marks 1 month of his tenure as Commissioner. Will he keep his word to me and so many others to protect kids from a lifetime of addiction? It is time for FDA to do its job and protect America's kids from Big Tobacco and their candy-flavored, sickness-causing e-cigarettes.

I yield the floor.

The PRESIDING OFFICER (Mr. PADILLA). The Republican whip.

#### AMERICAN RESCUE PLAN

Mr. THUNE. Mr. President, Friday marked the first anniversary of the so-called American Rescue Plan, which is the Democrats' partisan \$1.9 trillion spending spree. Fittingly, the anniversary arrived just 1 day after the release of February's inflation numbers which marked the worst inflation since January of 1982.

Why do I say "fittingly"?

Well, because the anniversary of the American Rescue Plan is basically the anniversary of our inflation crisis. While it is true that supply chain issues and the reopening of economies after COVID shutdowns created certain inflationary pressures, a big part of the reason for our current inflation crisis is Democrats' decision to pass the American Rescue Plan last March.

The definition of inflation is too many dollars chasing too few goods and services, and that is exactly the situation Democrats helped create with their so-called American Rescue Plan. Democrats came into office mere weeks after Congress had passed a fifth—fifth—bipartisan COVID relief bill totaling almost \$1 trillion and meeting, essentially, all current pressing COVID needs. Our economy was well on its way to a healthy recovery, and the majority of States had the money they needed to deal with the pandemic. In short, it was abundantly clear that we were not in immediate need of trillions more in government spending.

But that didn't stop Democrats. Now that they were in charge, they were eager to take advantage of the COVID crisis to begin implementing their Big Government vision. So in the name of COVID relief, they pushed through a massive partisan \$1.9 trillion spending piece of legislation filled with unnecessary spending and handouts to Democratic interest groups. Less than 9 percent of that \$1.9 trillion spending bill was earmarked for actually combating COVID. The rest went to priorities like a \$350 billion slush fund for States, a bailout for union pensions, rental as-

sistance far in excess of anything that was needed, and the list goes on.

Despite being billed as essential COVID relief, a substantial portion of the money appropriated will not be spent until 2022 or later; and despite the pressing need for workers to fill the millions of available job openings, Democrats created incentives for Americans to stay on unemployment instead of returning to work by extending enhanced unemployment benefits until September of 2021, long after they were likely to be needed. So the end result of all this was entirely predictable.

Democrats flooded the economy with unnecessary government money, and the economy overheated as a result. And you don't have to take my word for it. Here is what Steve Rattner, who served in the Obama administration, had to say in November:

The original sin was the \$1.9 trillion American Rescue Plan, passed in March. The bill—almost completely unfunded—sought to counter the effects of the COVID pandemic by focusing on demand-side stimulus rather than on investment. That has contributed materially to today's inflation levels.

Let me repeat that. This, according to Steve Rattner, who worked in the Obama administration, about inflation—talked about the legislation passed last year by the Democrats. He said that this "has contributed materially to today's inflation levels."

Or, as another former Obama administration member put it:

The United States has had much more inflation than almost any other advanced economy in the world.

That was Jason Furman, an economist at Harvard University and former Obama administration economic adviser.

He went on to say:

The difference comes because the United States stimulus is in a category of its own.

That, again, from another former Obama administration economist, Jason Furman.

Inflation started to rise almost as soon as the ink was dry on the American Rescue Plan, and it just keeps rising. February's 7.9 percent inflation marks the worst inflation since January of 1982—January of 1982—40 years ago.

And Americans are struggling. Just going to the grocery store is taking up a larger and larger portion of the American paycheck. Ground beef is up 13 percent; eggs are up 11 percent; citrus fruits are up 16 percent; chicken is up 13 percent; milk, up 11 percent; bacon and related products are up 18 percent; and on and on and on.

In fact, one American quoted in the New York Times noted that bacon is now as expensive as filet mignon used to be. Ordinary goods are starting to feel like luxury objects as more and more families struggle to afford basic grocery items.

A Washington Post columnist noted that a number of the price increases recorded for February were the highest annual increases ever recorded for

those items, including an 8.4-percent increase in the price of baby food and an 11-percent increase in the cost of lunch meat.

In a speech to House Democrats last week, the President suggested that he was "sick of" people saying that Democrats' reckless spending had helped cause our inflation crisis. This is what the President said last week—President Biden:

[T]he American people think the reason for inflation is the government is spending more money. Simply not true.

Well, there are a lot of economists who would disagree with him, including the two Democratic economists I have already quoted. And President Biden himself actually admitted in November that his stimulus checks helped increase the demand fueling inflation. I am sorry that President Biden is sick of having people point this out.

But you know who else is sick and tired of things? The American people. They are sick and tired of facing massive price increases everywhere they look. They are sick of increasingly having to live paycheck to paycheck as they wonder just how much further their grocery prices are going to go up. They are sick of wondering if they will be able to pay all of next month's bills.

And whether President Biden likes it or not, his so-called American Rescue Plan is responsible for a substantial part of the economic distress that Americans are now experiencing. And while President Biden may be sick of it, we need to keep talking about this because the President is still—still—trying to double down on the spending strategy that helped create this inflation crisis in the first place. Just 2 weeks ago in the State of the Union Address, the President discussed inflation and outlined his hopes for massive new amounts of government spending, spending that would unquestionably take an already bad inflation situation and make it even worse.

It is nice that the President and congressional Democrats are now talking about our inflation crisis, but it would be even nicer if they would realize that it was their spending that helped trigger this crisis in the first place; otherwise, we will continue to see Democrats push for ever bigger increases in government spending with correspondingly devastating price increases for American families.

The American Rescue Plan was a bad deal for Americans. Let's hope that Democrats do not have the chance to double down on this legislation and make our current inflation crisis even worse.

I yield the floor.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Ms. ERNST pertaining to the introduction of S. 3836 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Ms. ERNST. I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER. Without objection, it is so ordered.

#### GOVERNMENT SPENDING

Mrs. BLACKBURN. Mr. President, last week, the Senate passed a \$1.5 trillion funding bill that the Democratic majority insisted was full of must-pass, got-to-have-it, can't-live-without-it provisions that the American people were demanding. Unfortunately, the reality of what made it into that bill doesn't match the fantasy my Democratic colleagues conjured up for the cameras.

In reality, this \$1.5 trillion package was another spending spree. It was complete with 4,400 earmarks—4,400 earmarks. Now, these earmarks don't have any Federal nexus. They are not connected to your military post or your Federal highway. These are things for shopping centers and parks and city renovations and—you name it—pet projects. So that is not government funding; that is a Big Government windfall that the American people simply can't afford.

As we all know, an inability to pay for these programs has never stopped this Democratic majority from shoving through their radical and increasingly destructive agenda. By their own admission, the out-of-control spending habits have contributed to decades-high inflation. Imagine that.

What we know is that, in Tennessee, I am talking to people every day. They can't afford food and gas and to pay all of their monthly expenses, but for some reason, my Democratic colleagues think taxpayers will be happy to pay for their pet projects back home—all 4,400 of them. You just can't make this stuff up.

The American people are really confused by this. They are also completely appalled by Joe Biden's refusal to secure the border, his refusal to invest in American energy independence, and his willingness to keep our economy entangled with the Chinese Communist Party. Every one of these points worries them. Yet what really scares them is the President's refusal to discuss any of it: Just don't talk about it. It will go away. Inflation, that is transitory. If gas is too expensive, go buy yourself an electric vehicle. This is just so disrespectful of hard-working men and women.

Joe Biden has caused a lot more problems than he solved during the

first year of his Presidency, and his constant pivots away from life-or-death problems have destroyed what little trust the American people had left in his ability to get the job done.

They like to think that the President cares about what happens to them—the American people, the citizens—but they haven't seen any evidence to suggest that he is thinking about them.

Last week, I was up on the Plateau in Tennessee, talking to Tennesseans about what is going on here in the Senate. Most of what they tell me boils down to one simple truth: From where they are sitting and the news they are watching and the papers they are reading, it is clear that the Democrats have a very aggressive agenda, but they have no vision for the future of this country. They feel like what the Democrats want is control over their daily life, not a vision of a country filled with open doors and opportunity for all. They are not seeing that out of this agenda.

Why, they ask me, do their elected representatives take such drastic measures to do things that make their lives harder, that make their situations worse? They can't figure it out.

Since Joe Biden and the Democrats took control, inflation has skyrocketed. We have become energy dependent on Russia. We have abandoned not one, but two embassies. We high-tailed it out of there. Two embassies, cut and run. Our Border Patrol, they are apprehending known terrorists and MS-13 gang members who are coming into this country. If they are apprehending them, we are getting some but not all. And now we are hearing about Russia going out, going to Iran, saying: Let me have your soldiers for hire; let me have your proxies, the Wagner Group, which is closely aligned with Vladimir Putin.

And all the time, Tennesseans are saying: Well, what about these terrorists trying to come over the southern border? Are they mercenaries? Are they soldiers for hire?

People are raising these issues. And this is all part of what the Democrats have accomplished this year.

The American people tolerate quite a bit from their government, but one thing they won't accept is a President who shrugs his shoulders, runs from the podium, who claims to be a victim of circumstance, who is weak-kneed and refuses to lead.

Even former Obama White House officials have come forward begging the Biden administration to stop the spin, face reality, show some leadership, deal with the situation. This has to be getting embarrassing, even for them.

The American people have spent the past year watching Joe Biden abandon the policies that kept the country from collapsing under the weight of the pandemic. And what has he replaced those policies with? Mandates, lockdowns that have made the country poorer, increased regulation that has stopped oil and gas exploration, increased regula-

tion that is making it tougher on manufacturers, a push for higher taxes—that is what they are doing. And do you know what? It makes people less hopeful. It makes people less free. It gives people fewer options.

See, that is what they are seeing. The Democratic agenda is all about government control of your life. It is an agenda; it is not a vision for this country, for our children, for our grandchildren that is rooted in opportunity for all.

There is only one way to undo this damage and to stop this train that this administration is pushing as hard as they can toward socialism. The President needs to stop the spin. He needs to start listening to what people are saying, people across the country.

Here is the thing: They don't want this President to fail. They don't want him to fail. They don't want this country to fail, so it means that the President is going to have to stop bowing to all of this environmentalism as a religion and climate change as a god. They need to stop that.

They need to see, yes, we need to have an Operation Warp Speed, to be energy independent, pull everybody together—Federal Agencies, the private sector.

We are the United States of America, and if we had the desire, we could do this. We could be energy independent once again. We could stand strong. We could stand strong against Russia, against Iran, against China and the Chinese Communist Party.

What that is going to require is an administration and a Democratic Party that has a vision for the greatness and goodness of this country.

I think that what we have to do is we have to lead the way in saying it is time to show respect for the American people, to listen to what they are telling us, and to make certain that we stand for this country, standing strong for future generations.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. BENNET). Without objection, it is so ordered.

Mr. CORNYN. Mr. President, I ask unanimous consent to be able to complete my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### ENERGY

Mr. CORNYN. Mr. President, as all of America knows, prices at the gas pump are skyrocketing. Over the weekend, the average gas price in Texas exceeded \$4 a gallon, and we typically have some of the cheapest gasoline in the country. We didn't even cross that line during the great recession of 2008. But we know that gas prices are not the only



commodity that is growing and that family budgets are strained by. Consumers are also paying more for everything from groceries to clothes, to appliances.

Folks in Texas and across the country want to know, what is President Biden's plan to address high gasoline prices? Last week, the President was, appropriately enough, asked this very question. His response? He said:

Can't do much right now. Russia is responsible.

That is a quote—"Russia is responsible." Well, people across the country know that the price of gasoline, the spike that we are experiencing now, preceded the invasion of Ukraine.

Folks across the country can't afford to fill up their gas tanks to get to work, and the President points the finger at Vladimir Putin. Well, there is no question that the war in Ukraine exacerbated what was already an existing problem with the price of gasoline, but certainly it was not the cause of it. But the President conveniently omits the fact that gasoline prices were a problem long before Ukraine was attacked. For example, the week the President took office, Americans were paying an average of \$2.38 a gallon. Month after month, those prices steadily climbed. By mid-May, the average price exceeded \$3.10 a gallon, and by Thanksgiving, it was \$3.30 a gallon. Just as a reminder, this was months before Russia invaded, which did not happen until February 24 of this year. Even in the last full week before the invasion, gas prices were painfully high at \$3.50 a gallon.

So, yes, prices have risen since the invasion, and there is no question that the Russian aggression is a factor behind price jumps in the past few weeks, but this was a preexisting problem for which apparently the President had no solution. It is disingenuous for the administration to blame recordbreaking prices entirely on Russia. During Biden's first year in office, from January of last year to January of this year, gas prices increased 40 percent—40 percent. Those increases had nothing to do with President Putin and had everything to do with President Biden.

One of the President's first actions after taking office was to cancel the Keystone XL Pipeline. This pipeline would have given Canadian crude a quick and affordable path to refiners and processors in the United States and then to global markets through the Gulf of Mexico. This increased supply would add to the domestic markets and top off the Strategic Petroleum Reserve and even make its way to our friends and allies overseas. Given the state of the world's energy security today, it is easy to see how the Keystone XL Pipeline would have helped if the President had given it an opportunity.

This project would have also brought serious economic gains in the form of good-paying jobs right here in America, increased tax revenue, and benefits

for communities along the pipeline's route. But with the stroke of a pen, the President killed the Keystone XL Pipeline and the many benefits that would have been provided in terms of our energy security and the price of gasoline at the pump.

Unfortunately, that was the beginning but not the end of the administration's flawed energy policies. Just a few days later, the Biden administration placed a temporary moratorium on all new leasing permits on Federal lands, effectively sending more business to Russia and OPEC producers whom he actually called upon to produce more oil. That is right. Before the Russian invasion, President Biden called on OPEC—of which Russia is a member and of which Saudi Arabia is a dominant producer—to produce more oil overseas rather than to unleash American energy right here at home.

Well, the administration later attempted to set the "social cost" of carbon, as they call it, at \$51 a metric ton—a high and arbitrary figure designed to hamper fossil fuel production right here at home—and then it suspended oil and gas production in both Alaska and New Mexico.

The administration even took aim at refiners. The United States relies on an expansive network of refiners to supply gasoline, diesel fuel, and other petroleum products. The renewable fuel standard requires refiners to blend a certain amount of renewable fuel, which is simply untenable for many small refiners. And small refiners disproportionately actually produce gasoline, which means that the pressure on these small refiners actually has a disproportionate impact on higher gasoline prices.

The Environmental Protection Agency has the authority to grant temporary exemptions to small refiners if compliance would cause them to suffer serious economic hardship. Those exemptions used to be pretty standard practice. President Obama and President Trump each granted dozens of exemptions while in office. But so far, President Biden has refused to grant a single exemption to small refineries. Small refineries are hurting, and unless President Biden finally grants some of these exemptions, some of them may be forced to close their doors, exacerbating again high energy prices. If fewer refiners are operating, gasoline prices will go up, not down.

President Biden and his administration aren't the only ones who have taken aim at oil and gas production here in America in the last year. Many of our colleagues who have argued that oil and gas production is somehow unnecessary or obsolete and could be replaced today with solely renewable energy have been misleading the American people in believing that we could make that transition today or anytime in the near future. While renewable energy is an important part of our energy sources—in Texas, we produce more electricity from wind than any other

State in the Nation—we believe in an "all of the above" energy policy.

I actually have heard members of the administration say one of the solutions for eliminating the importation of Russian oil would be to move entirely to renewables. Well, the Energy Information Administration, which is the official spokesman on these matters for the U.S. Government, says that by the year 2050, 74 percent of our energy sources in America will still be fossil fuel. That is four times the amount of energy that can be produced by renewables.

That doesn't mean we are going to stay stuck on where we are now. We will continue to look for new and innovative ways to add to our energy diversity and improve our climate and environment at the same time. But to suggest disingenuously to the American people that one way we can deal with cutting off Russian imports is simply to do away with oil and gas in America is a ludicrous statement.

Other regulatory measures promoted by the administration have also discouraged American energy production, like the reckless tax-and-spending spree to pile even more costs and regulations on American oil and gas; for example, a methane tax on energy companies, banning offshore drilling, increasing onshore royalty fees, and putting domestic oil and gas producers in a choke hold.

Now that gas prices have gone through the roof, some of our colleagues have come up with another unhelpful solution. They want to temporarily suspend the gas tax through November, which happens to be the elections. That is no coincidence. This idea has been soundly rejected a number of times over the years by both Republicans and Democrats.

In 2008, gas prices were soaring and the then-Presidential candidate, Barack Obama, attacked his opponents for endorsing a gas tax holiday, as many of our colleagues here in the Senate have endorsed currently.

At the time, Candidate Barack Obama, Senator Barack Obama, said:

This isn't an idea designed to get you through the summer, it's an idea designed to get [you] through an election.

In short, this isn't a fix for high gas prices; it is a talking point for political campaigns and candidates.

This is a gimmick to create the illusion of action, while really doing nothing but draining the highway trust fund that we rely upon to build our roads and bridges.

Still, a few of our colleagues in the Senate have offered a bill that would suspend the gas tax through the end of the year. I am sure it comes as no surprise that a majority of the bill's sponsors are on the ballot this year.

For more than a year now, Republicans have warned about the potential consequences of the attack on domestic energy production. We have highlighted the ways the policies could



drive up prices, harm our energy security, and threaten that of our allies. Even as gas prices rose month after month, the Biden administration did nothing. They didn't attempt a mid-course correction. They didn't open this topic up for debate. They just stayed the course.

Back in November, the Secretary of Energy was asked about increasing U.S. oil production. She literally laughed and said:

That is hilarious.

Well, it certainly isn't funny now. Gas prices are now averaging \$4.32 a gallon, and our allies are frantically trying to reduce their reliance on Russian oil and gas, which in many cases is their sole source.

President Biden has tried to pin these problems squarely on Russia and Vladimir Putin, but the American people are smart. They know the truth. They know that high prices predated Russia's invasion of Ukraine, and they know about the war being waged on domestic energy production by some of our colleagues across the aisle.

And they are smart enough to know that you can't believe President Biden when he says you can't do much about it because Russia is responsible.

I yield the floor.

#### RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:32 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Ms. SINEMA).

#### EXECUTIVE CALENDAR—Continued

The PRESIDING OFFICER. The Senator from Rhode Island

##### UNANIMOUS CONSENT AGREEMENT

Mr. WHITEHOUSE. Madam President, I ask unanimous consent that the cloture motion on Executive Calendar No. 718 be withdrawn and that following disposition of the Young nomination, the Senate resume legislative session and proceed to the consideration of Calendar No. 305, S.J. Res. 37, with Senator PAUL or his designee in control of 30 minutes and the majority leader in control of the remaining time until 5:30 p.m., and that at 5:30 p.m., all remaining time on the joint resolution be yielded back, the joint resolution be read a third time, and the Senate vote on passage of the joint resolution without intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

##### CLOTURE MOTION WITHDRAWN

The cloture motion on the nomination of Susan Tsui Grundmann, of Virginia, to be a Member of the Federal Labor Relations Authority for a term of five years expiring July 1, 2025, was withdrawn.

Mr. WHITEHOUSE. I yield the floor for a, I hope, happy event to my colleague Senator RUBIO.

The PRESIDING OFFICER. The Senator from Florida.

#### SUNSHINE PROTECTION ACT OF 2021

Mr. RUBIO. Madam President, let me cut right to the chase here before I get into a statement.

As if in legislative session, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be discharged from further consideration of S. 623, a bill to make daylight saving time permanent, and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 623) to make daylight saving time permanent, and for other purposes.

There being no objection, the committee was discharged and the Senate proceeded to consider the bill.

Mr. RUBIO. Madam President, I ask unanimous consent that the Rubio substitute at the desk be considered and agreed to; that the bill, as amended, be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The amendment (No. 5000) in the nature of a substitute was agreed to as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

##### SECTION 1. SHORT TITLE.

This Act may be cited as the "Sunshine Protection Act of 2021".

##### SEC. 2. MAKING DAYLIGHT SAVING TIME PERMANENT.

(a) REPEAL OF TEMPORARY PERIOD FOR DAYLIGHT SAVING TIME.—Section 3 of the Uniform Time Act of 1966 (15 U.S.C. 260a) is hereby repealed.

(b) ADVANCEMENT OF STANDARD TIME.—

(1) IN GENERAL.—The second sentence of subsection (a) of section 1 of the Act of March 19, 1918 (commonly known as the "Calder Act") (15 U.S.C. 261), is amended—

(A) by striking "4 hours" and inserting "3 hours";

(B) by striking "5 hours" and inserting "4 hours";

(C) by striking "6 hours" and inserting "5 hours";

(D) by striking "7 hours" and inserting "6 hours";

(E) by striking "8 hours" and inserting "by 7 hours";

(F) by striking "9 hours" and inserting "8 hours";

(G) by striking "10 hours;" and inserting "9 hours;";

(H) by striking "11 hours" and inserting "10 hours"; and

(I) by striking "10 hours." and inserting "11 hours."

(2) STATE EXEMPTION.—Such section is further amended by—

(A) redesignating subsection (b) as subsection (c); and

(B) inserting after subsection (a) the following:

"(b) STANDARD TIME FOR CERTAIN STATES AND AREAS.—The standard time for a State that has exempted itself from the provisions of section 3(a) of the Uniform Time Act of 1966 (15 U.S.C. 260a(a)), as in effect on the day before November 5, 2023, pursuant to such section or an area of a State that has exempted such area from such provisions pursuant to such section shall be, as such State considers appropriate—

"(1) the standard time for such State or area, as the case may be, pursuant to subsection (a) of this section; or

"(2) the standard time for such State or area, as the case may be, pursuant to subsection (a) of this section as it was in effect on the day before November 5, 2023."

(3) CONFORMING AMENDMENT.—Such section is further amended, in the second sentence, by striking "Except as provided in section 3(a) of the Uniform Time Act of 1966 (15 U.S.C. 260a(a)), the" and inserting "Except as provided in subsection (b),".

(c) EFFECTIVE DATE.—This Act and the amendments made by this Act take effect on November 5, 2023.

The bill (S. 623) was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. RUBIO. Madam President, as the day goes on, I look forward to others who will be coming to the floor here in a moment. You will see it is an eclectic collection of Members of the U.S. Senate in favor of what we have just done here in the Senate, and that is to pass a bill to make daylight saving time permanent.

Just this past weekend, we all went through that biannual ritual of changing the clock back and forth and the disruption that comes with it. And one has to ask themselves after a while: Why do we keep doing it? Why are we doing this?

This really began back in 1918 as a practice that was supposed to save energy, and since then we have adjusted it.

Today, daylight saving time, which started out as 6 months, was extended to 8 months in 2005, clearly showing you what people's preference was. So we are doing this back-and-forth of clock-changing for about 16 weeks of standard time a year.

Now, I think the majority of the American people's preference is just to stop the back-and-forth changing. But beyond that, I think their preference is, certainly, at least based on today's vote and what we have heard, is to make daylight saving time permanent.

I will just tell you a couple of the reasons why I think that is important. There is some strong science behind it that is now showing and making people aware of the harm that clock-switching has. We see an increase in heart attacks and car accidents and pedestrian accidents in the week that follow the changes.

The benefits of daylight saving time have also been accounted for in the research; for example, reduced crime, as there is light later in the day. We have seen decreases in child obesity, a decrease in seasonal depression that many feel during standard time, and then the practical one and the one that I have witnessed with my own eyes.

In many parts of this country—understand, we are a country where we desperately want our kids to be outside, to be playing, to be doing sports, not just to be sitting in front of a TV or a computer terminal or playing video games all day. And it gets really tough in many parts of the country to be able to do that because what ends up happening is, especially for these 16 weeks a year, if you don't have a park or an outdoor facility with lights, you are basically shut down around 5 p.m., in some places as early as 4, 4:30 p.m. And these lights in parks and things like that are expensive, and then a lot of communities are resistant to them, right?

I have seen it with my own eyes. I have watched sporting events be called—youth sporting events—in the middle or near the end of the game before it has actually concluded because there is not enough light.

So I just think that is one of the practical reasons why, if you look at the way we live in this country, you want to have the ability to spend more time in the evenings outdoors, not just to enjoy the outdoors but to make sporting and outdoor activities available for people at a time when, frankly, we are losing an hour, an hour and a half in some parts of the country because of daylight.

So I am hoping that after today, this will go over to the House, and they will act quickly on it.

I know this is not the most important issue confronting America, but it is one of those issues where there is a lot of agreement, and I think a lot of people wonder why it took so long to get here.

So my hope is that after we are done here today, that the House will take it up; that the House will pass it; and that the President will sign it.

I just want to lay out one caveat. This bill and the amendment does delay its implementation, and the reason why—and I asked. Believe me, I asked: Why are we delaying this? And I think it is important. We are delaying it until November of 2023 because airlines, the rails, transportation methods, others have already built out schedules based on the existing timeline of this. And so they have asked for a few additional months here—from industries like broadcasters and airlines—to make that adjustment.

But the good news is that if we can get this passed, we don't have to keep doing this stupidity anymore. And why we would enshrine this in our laws and keep it for so long is beyond me, but hopefully this is the year that this gets done.

And pardon the pun, but this is an idea whose time has come.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. MARKEY. Madam President, I want to join with the Senator from the Sunshine State, letting him know that the Senator from the Bay State, the

Senator from the Ocean State, we share a common agenda. We bridge ideological divisions—liberal Democrats from the Northeast, conservative Republicans from Florida coming together to show that this institution can work.

And why is that?

Well, it is because we know that daylight saving time helps to turn the corners of people's mouths upward into a smile. It is sunshine and smiles.

We have only had daylight saving time so far for 2 days, but all across the country, people are out in the evening with the extra daylight. Little League can start. People taking their evening walks feel more safe. People can just walk down to the town square, knowing that the daylight is out there.

And so this is something that should be bipartisan. It should bring us all together, and I thank the Senator from Florida for his leadership on this issue.

And so many people are wondering, can the Congress work? And I think here is something that does have a big impact on every American life, and getting that extra hour of daylight of sunshine into people's lives is absolutely essential.

So we have been working, you know, together to, once and for all, deal with this issue of springing forward and falling back, and that is to make daylight saving time permanent.

This past Sunday, Americans had to once again change their clocks, all because of the outdated government policy on daylight saving time. This biannual ritual of toggling between daylight saving time and standard time isn't just an inconvenience to people everywhere, it has real repercussions on our economy and our daily lives.

Studies have found that year-round daylight saving time would improve public health, public safety, energy policy, mental health—an especially important commitment after this cold and dark COVID winter.

Seasonal affective disorder is real, and when they get that extra hour of Sun in the evening, it helps tens of millions of people all across the country to finally put the winter into a rearview mirror. But let's be honest. Spring really starts when we spring forward to daylight saving time.

So daylight saving time brings sunshine, smiles, and savings to every person in the country. And more evening sunshine also leads to fewer traffic fatalities, increased economic activity, and more recreation time. From afterwork shopping to Little League games and family bike rides, an extra hour of evening sunshine puts a spring in our step and offers a great reason to get outside and enjoy the outdoors.

The case for permanent daylight saving time is clear. So let's go from polar to solar. Let's finally make that change in our country because cutting back on the Sun during the fall and winter is a drain on the American people. We must pass the Sunshine Protection Act and make daylight saving time permanent once and for all.

This is an opportunity for Democrats and Republicans to come together and do something that really helps the American people feel better about themselves every single day of the year.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Madam President, I am happy to bring the voice of the Ocean State to the floor today as an original cosponsor of Senator RUBIO's bill to make daylight saving time permanent. I hope very much that we can actually agree to this on the floor today and hope for similar action in the House.

Pretty much everybody in Rhode Island experiences the same thing on that unhappy day in early November. It is usually the 6th or the 7th, when suddenly an hour of your day, an hour of your daylight, disappears and dusk comes an hour earlier.

And it is a sad time. People are unhappy. It does darken our lives in a very literal sense. And by the time you get from November, when we fall back, to the shortest day of the year in December, the 21st, I think it is, we have sunset in Rhode Island at 4:15–4:15. That means everybody is driving home, if they work regular 9-to-5 hours—they are driving home in the pitch dark, and there is no real need for it. So let's make it 5:15 instead.

Now, granted, there are people who are up between 6:30 and 7:30 in the morning who will lose their hour of daylight, but there are a lot fewer people up and about between 6:30 and 7:30 in the morning than there are between 4:15 and 5:15 in the afternoon.

And particularly in that afternoon hour, that is when kids have come home from school, and you would like to have them run around outside a little bit more. That is when people are doing errands, and it would be nice if there were some daylight for that.

So I am eager to be rid of "fall back," and this would give us a chance for Americans all across the country to be rid of "fall back" and make daylight saving time permanent and to add a little sunlight into most people's lives.

With that, I will recognize the distinguished chairman of our Health, Education, Labor, and Pensions Committee.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Madam President, today, the Senate has finally delivered on something Americans all over the country want: to never have to change their clocks again.

My colleague Senator RUBIO and I have finally passed the Sunshine Protection Act, a bipartisan bill to finally make daylight saving time permanent.

This past weekend, Americans from Washington State to Florida had to lose an hour of sleep for absolutely no reason. This is a burden and a headache we don't need. Any parent who has worked so hard to get a newborn or a toddler on a regular sleeping schedule

understands the absolute chaos changing our clocks creates and for no good reason. There is enough going on as it is, and we can fix this one inconvenience and stress pretty easily.

And if the House follows the lead of the U.S. Senate, we can make it so no one anywhere has to change their clocks by making daylight saving time permanent.

I hope my colleagues in the House and everyone can understand that no one wants to see the Sun set at 4 o'clock in the afternoon, which it currently does in the winter for those of us on the west coast.

In just this Congress, we have passed major bipartisan bills to strengthen supply chains and promote American manufacturing and make a generational investment in our infrastructure. Let's keep up that bipartisanship and make daylight saving time permanent.

Voters throughout the Pacific time zone have made clear they are ready for permanent daylight saving time. In California, Oregon, Idaho, and my home State of Washington, we have all passed laws to adopt permanent daylight saving time as soon as Congress acts. So many other States are on the same page. These States need us to take action at the Federal level.

This is a simple, commonsense measure that we can all take back to our constituents that does away with the completely unnecessary inconvenience in everyone's lives. No more dark afternoons in the winter. No more losing an hour of sleep every spring. We want more sunshine during our most productive waking hours.

I have said it before, and I will say it again: Americans want more sunshine and less depression. People in this country all the way from Seattle to Miami want the Sunshine Protection Act.

We got it passed here in the Senate. Now the clock is ticking to get the job done so we don't have to switch our clocks again.

So I urge my colleagues in the House to act swiftly, as we have done, to get this bill on President Biden's desk and deliver sunshine to Americans across the country.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. WHITEHOUSE. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Rhode Island.

Mr. WHITEHOUSE. Let me make it clear to anybody who is watching that they just saw this measure pass. We have just passed the bill to end the return to daylight saving time—to make daylight saving time permanent.

I yield the floor.

With that, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. TUBERVILLE. Madam President, first of all, I would like to say thanks to my colleagues on both sides of the aisle for getting out here today and starting down the road to making daylight saving time permanent.

I cannot overstate how grateful I am that this bill passed this Chamber just a few minutes ago by unanimous consent. It is especially timely given that we all had to change our clocks this past weekend, and we are now experiencing longer, sunnier days, but it would be better news if longer, sunnier days were a new norm and not a cause for a temporary, seasonal celebration, which is why I hope my colleagues in the House of Representatives pass this bill quickly.

The practice of springing forward impacts folks across the Nation and has far-reaching benefits beyond the obvious but enjoyable hour of daylight that brings happy, happy times to everybody.

Alabamians have made this clear. Since I joined Senator RUBIO in the effort to pass the Sunshine Protection Act, the phones in my office have been absolutely ringing off the hook in support of permanently adopting daylight saving time—from moms and dads who want more daylight time before putting their kids to bed so dinnertime doesn't feel like bedtime and from elderly people who want more Sun in the evenings in order to take a walk or enjoy working in their yards. For farmers, who could use the extra daylight to work in the fields, it is a better business model and adds to the bottom line.

But it is not just people in the State of Alabama; Americans across the country want to make daylight saving time permanent. In fact, it is worth noting that this bill has bipartisan support, evidenced by the fact that it passed with no objection here in the Senate mere moments ago. It is no secret how rare that is here in this Chamber.

Locking the clock, or doing away with the twice-a-year time change, is a simple measure that would have far-reaching results. For example, from a health perspective, cases of SAD, or seasonal affective disorder, are much more common in the winter months than in the summer months. From an economic perspective, the time change costs the U.S. economy an estimated \$430 million annually when accounting for lost productivity. It is simply common sense to update this outdated practice.

Daylight saving time began as a temporary measure during World War I to conserve energy, but in the last cen-

tury, our world has changed dramatically. What might have made sense during 1918 does not make sense today. That is why Alabama, along with 17 other State legislatures, has passed legislation or resolutions to flip the switch on this outdated practice and permanently increase our daylight hours, but these changes at the State level cannot take place until a Federal law is passed. We have taken the first step today in the Senate by passing this bill. Now it is on the House's side.

Again, my thanks to Senator RUBIO and my colleagues on both sides of the aisle. I hope the House acts quickly so we can get this to the President's desk and get the results that the American people want, and that is more sunshine.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER. Without objection, it is so ordered.

#### EXECUTIVE CALENDAR—Continued

##### ENERGY

Mr. BARRASSO. Madam President, I come to the floor today to talk about American energy.

Joe Biden is the President of high prices and of low approval ratings. Just yesterday, a gallon of gas sold for the highest price ever in the United States, and inflation is at a 40-year high.

Now, the American people clearly understand that radical Democrat energy policies are the cause of these high prices—the prices that people are paying every time they go to the pump to fill up.

On Thursday, the White House admitted, in terms of these high prices, that it is going to get worse. Of course, Democrats are trying to blame Vladimir Putin for the high price at the pump. Well, to me, it is dishonest, and it is desperate. Vladimir Putin didn't cause the inflation crisis that began in this country 12 months ago.

Now, Vladimir Putin has cashed in on America's inflation crisis. He has done it by selling more energy at high prices, and he has done it for more than a year. It has been his cash cow.

America's inflation crisis is specifically the result of Democrat spending and Democrat attacks on American energy. The two combined have added to the situation that we are in now, attacking American energy and massive spending.

Last March, Joe Biden signed the single-most expensive spending bill in American history. Even his own experts warned him not to do it.

Democrat economics expert Larry Summers, who had been Treasury Secretary for President Clinton, warned that this is going to cause inflation. Last February, the former Obama and

Clinton adviser wrote in the Washington Post—this is from Larry Summers:

There is a chance that . . . stimulus on a scale closer to World War II levels . . . will set off inflationary pressures.

He said:

Inflationary pressures of a kind [that] we have not seen in a generation.

He is exactly right. That is what has happened. That is why we are at a 40-year high of inflation, and that is a generation.

Obama adviser Jason Furman said the same thing. He said that bill was “definitely too big.” He said: “I don’t know any economist”—“any,” he said—“who was recommending something the size of what” President Biden was doing.

Yet Joe Biden proved to be hard of hearing, refused to listen to what they had to say, signed the bill anyway, put \$2 trillion on our Nation’s credit card, and he flooded the country with government cash. Ever since then, this country has been in an inflation upward spiral.

At the same time, Joe Biden also had a stranglehold over American energy supply. He announced it during the campaign and enforced it the day he took office.

Energy is called the master resource for a reason. It powers our economy. It powers our military. It powers our Nation. It is critically important. When the price of energy goes up, so does the price of everything else.

Starting on his first day in office, Joe Biden has waged an all-out war on American energy. He shut down the Keystone XL Pipeline, and he bragged about it—no hiding from this one. He shut down oil and gas leases on Federal lands. He bragged about that as well. He shut down exploration for energy in the Arctic.

It was always interesting to see the senior Senator from Alaska, Ms. MURKOWSKI, come to the floor and say over the last year that we are using more energy from Vladimir Putin’s Russia than we are from Alaska, her home State, in terms of oil.

Those are because of Joe Biden’s policies.

Now his lackeys at the Federal Energy Regulatory Commission are making it almost impossible to build gas pipelines, to move gas from where it is explored to where it is needed. As a result, we are today actually producing a lot less energy than we were prior to the pandemic.

I heard the White House spokesperson. She talked about the fact that we are at record-high levels. We are not. We are at about 1.3 million barrels of oil a day—fewer now being produced in the United States than we were prior to the pandemic. Prior to the pandemic, we were No. 1 in production in the world. Now we are No. 3, behind Saudi Arabia and behind Russia.

What does lower supply of American energy mean? Well, in supply and demand, lower supply means higher prices.

When Joe Biden took office, a gallon of gas was at \$2.38. It went up every month. Twelve of the last 13 months, the price of gas kept going up at the pump. Twelve of the 13 months that Joe Biden has been in the White House, the price of gas went up.

Meanwhile, Vladimir Putin was laughing all the way to the bank.

Joe Biden must be patting himself on the back right now about banning Russian oil, something that took him kicking and screaming to do after bipartisan Members of the House and the Senate came together and said: You have got to stop doing this.

It took him a couple of extra weeks to come to the realization that this body and the House, in a bipartisan way, were opposed to the delays—the ongoing delays—of this administration.

Now Joe Biden has his latest excuse for inflation. He said it is Vladimir Putin. The American people aren’t buying it. In record numbers, they are not buying what the President is trying to sell.

The American people haven’t forgotten the past year. It has been a year of high prices. It has been a year of misery and pain for families all across the country.

For Joe Biden, it has been a year of excuses. The excuses keep changing, but they are ongoing.

First, he said that inflation was transitory. He said it month after month after month after month.

And, then, remember when he said inflation was a good thing? Then, of course, he blamed corporate greed—always looking for somebody else to blame, always trying to pass the buck. Now he says inflation, which has been crushing American families, was because of Vladimir Putin, just 3 weeks ago.

Mr. President, people have been suffering under inflation, and their wages haven’t been keeping up with the rising prices in this country for well over a year, since you took office. People recognize that. They remember the pain and the suffering in trying to go through Christmas, trying to decide whether they could afford gifts for the family; families who had to decide, living on a fixed income, if they could afford to eat or to heat their homes. That was all before Putin, and they haven’t forgotten, Mr. President. Even though you may not think they remember, they do.

It is now 8 months until there are elections, and I know we are going to hear a lot more excuses from the Democrats in Washington between now and November 8. I expect the excuses are going to change a couple more times. None of the excuses are going to be believable. So they will keep trying to come up with another one.

Inflation sure wasn’t transitory, not for a full year, not to a point where we are now at a 40-year high for inflation.

How about that idea when the President said inflation was a good thing? Actually, we heard it from the White

House Press Secretary. We heard it from the White House Chief of Staff. They said inflation is a sign of high demand.

If our economy is doing so well, why don’t the American people believe it? What kind of fantasyland is the President living in?

According to the Washington Post, Joe Biden’s approval rating on the economy—how well he is doing in the economy—out of 100 points, he is at 37 percent approval. These are record-low numbers.

So Democrats can use their arguments all that they want. I think it just makes Americans want to reject anything the Democrats are trying to sell.

If Democrats are right about corporate greed, then, why have Democrats done nothing about it? They have run Washington for the past full year plus a couple of months. Democrats have had the time to introduce plenty of bills: bills to raise taxes, bills to take over elections, bills to pack the Supreme Court from 9 up to 13 members, bills to make Washington, DC, a State. What can they point to as an accomplishment to actually address and lower inflation? That is what the American people want.

Just this past weekend, studies are out. What is the No. 1 concern of the American people? It is inflation. What are Democrats doing about it? Nothing. They are making it worse.

So we are living in this world where Democrats and the White House continue to spin one story after another, and Democrat spokesmen for the party continue to try to convince the American people: Don’t believe your own two eyes; believe them. The American people are smarter than that.

Russia invaded Ukraine on February 24, 2022. It is about a year after the inflation crisis began. It is a great human tragedy, and it is heart-breaking.

Tomorrow, Members of this body will be having a video address by President Zelenskyy, the President of Ukraine, a heroic and courageous individual who is leading his nation with stubborn courage, historic patriotism, fighting for freedom. To try to tie this to the inflation that the American people have been suffering through for the last year is just wrong.

And 2021 was the worst inflation in 40 years, long before Putin invaded Ukraine. By the time Putin invaded Ukraine, gas prices were up in the United States more than \$1 a gallon, and America was more addicted to Russian oil because that is what Joe Biden wanted. He wanted us to need more Russian oil. But that didn’t stop Joe Biden from trying to blame the whole thing on Putin.

Former adviser Steve Rattner put it this way:

This is [Joe] Biden’s inflation and he needs to own it.

Over the weekend, Larry Summers said this:

The president was wrong—

He is talking about Joe Biden.

He said:

The president was wrong to blame this month's [inflation] number on [the war in] Ukraine.

Larry Summers went on to say:

[Everyone] had been expecting, from the time before Putin launched the invasion, that inflation was going to accelerate.

He went on to say:

This is a consequence, fundamentally, of an overheated economy.

He said:

And we are not going to have a full solution until we do something about that overheated economy.

A full year has passed—one year in office, a 40-year high of inflation, and a year full of excuses by a President whose excuses do not add up. What adds up is the fundamental fact that American families spent \$1,000 more on energy during Joe Biden's first year as President than they did the previous year. And it is going to be worse this year.

The time for excuses is over. There is no excuse for restricting American energy production. Democratic Senators spent 10 months denying that there even was inflation and doing nothing about it. Yet now some Democrats in this body are talking about making it even worse. They have introduced multiple bills to raise taxes. Astonishingly, one of the bills they have introduced is to raise taxes on American energy.

They already tried that last year with their reckless tax-and-spending spree. Now, it seems like some of them want to do it again. If we put more taxes on American energy, what is that going to do? It is going to raise the price even higher. Higher costs on producers are going to become higher costs on the customers.

People don't want us to raise costs; they want us to reduce costs. That is what they are complaining about. That is what we have gotten as a result of the Biden policies. We need to break this choke hold that the Democrats and the Biden administration have on American energy.

So how do we do that? Well, 2 weeks ago, I led a letter with every Republican on the Senate Energy Committee, and we sent it to President Biden on the morning after the State of the Union Address. We gave him a list of 10 specific actions that he could take today to produce more American energy and bring down the costs for American families.

Step one would be to end his Executive order on oil and gas leases on Federal lands. Half of my home State of Wyoming is Federal lands. There is an abundance of energy there. The American people need it. It will help reduce costs for families. It will actually bring tax revenue into the government, both the State as well as the Federal Government. Yet Joe Biden is not interested.

Joe Biden's Executive order has no basis in science, no basis in law. It

needs to be rescinded today. The fact that some people have leases to explore for energy—a small number—is no excuse for the President's actions. Over 4,000 leases are awaiting permission to drill right now. They have a lease, but they are tied up in redtape and cannot get permission to drill from the government. So even if you have a lease, you need to then get permission from the government to use the lease. They ought to approve those leases today.

But we need to go further. We need a long-term commitment from the Government of the United States to produce American energy to help American families. Leases take years to explore and to develop. We need a commitment that is going to last long term. No one is going to make those kinds of investments if they think Joe Biden is going to shut them down again the next day.

Now, American energy companies have a lot of good reasons not to trust Joe Biden, not to trust those whom he has—the anointed ones whom he has appointed to high positions in the government.

If you just take a look at Joe Biden's nominees, they are a murderer's row of climate elitists and climate alarmists, and those are the ones that call the tune for this President.

If you took a year of Joe Biden's energy policies and take a look at what has happened over the past year that got us here today and you explain that to the American public and you say: What do you think about this? as they are filling up their tank, two-thirds of them would say: Under these Biden policies—two-thirds would say—the country is heading in the wrong direction.

That may be every Republican. It is also a lot of Independents, and it is also some Democrats as well who have buyer's remorse at what they have gotten from this President. It is going to take time to repair the damage. We need to start today. The time for excuses and blame from this administration needs to be over. The American public is demanding American energy, and we need it now.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. MURKOWSKI. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

IDITAROD

Ms. MURKOWSKI. Madam President, I am here on the floor today to make what I consider to be a supercool announcement. I think my colleagues know well that I am a fan of the "Last Great Race," the Iditarod. I am shameless in my promotion of not only the exceptional athleticism of the mushers themselves but the canine athletes.

I say to the Presiding Officer—and as an athlete yourself—I think you can

appreciate the endurance training that it takes to be a qualified and truly an exceptional athlete, and today we are able to celebrate an extraordinary musher and an extraordinary team.

It was just a little over a week ago, last Sunday morning—well, actually it was Saturday—that I was in Anchorage for the ceremonial start of the Iditarod. It takes place downtown in Anchorage. We have to truck snow in. We close off all the downtown streets. Not too many cities actually bring the snow in, but we brought the snow in, dumped it around the streets, and closed the streets.

Mushers come to town from all over the State, 49 mushers this year. They bring their sled dogs in.

Along the sides of the chutes are thousands of Alaskans and thousands of visitors. The people come from around the country and around the world to launch these extraordinary teams down the street. Everybody is all bundled up.

It was one of those days that was just picture perfect for the start of an Iditarod. There were big, huge snowflakes coming down, making everything white.

The dogs were jumping in their traces, just straight up, just bouncing up with excitement, and the yipping and the howling was just—it was excitement that was contagious. And to be out there in the chutes, wishing the racers luck, cheering them on before they embark on their 1,000-mile journey to the north, it is an experience that I would encourage for anyone, whether you are a canine lover or not—those of you who understand the value of working dogs and what they mean, and how they love to do what they do.

The Iditarod is an experience like none other. This was the 50th anniversary. For 50 years now, the Iditarod has been going from South Central in the Willow area all the way up to Nome. Again, 49 teams entered.

These mushers faced some pretty challenging conditions. You are going over terrain that is mountain range and down into gorges. You are on flat glare ice going across Norton Sound, howling winds, driving snow. It is a mental task. It is a physical task and, truly, one of endurance.

Keep in mind that most are thinking: Wait. This is Alaska in the wintertime. It is cold.

But, in fairness, the teams actually prefer to be running at night, when the temperatures are cool. So they are running truly based on the dogs' schedule, the endurance, but not necessarily in the tamest of conditions.

This is not only a race where we celebrate the musher and their team, but we also celebrate the volunteer spirit that comes with this. This is an extraordinary race of over 1,000 miles going through some of the most extreme wilderness that you will encounter.

Then, occasionally, along the way, there are small villages that are used

as checkpoints or opportunities for the many volunteers to basically gather. There is about 1,500 people who volunteer to put this race on. So for those who set the trail markers, who set out there with their snow machines to mark that trail, it is nothing more than like wood markers that you would get at Home Depot or Lowe's, with a little painted orange on it. That is the sophistication of this. This is what guides the team in a blizzard.

The veterinarians are there. Four to five vets cycle through each checkpoint, because each dog needs to be checked every time they go through their checkpoint.

All of these folks come from all around the country to volunteer. They pay for their flights up. They take a week off work, and they are there. They are there to support not only the race, but they are there to support gold-standard canine care.

And so it is also a celebration about the volunteers. This is such a great part of our State's heritage, our culture. Again, you can tell I get a little enthusiastic about it. Even my necklace is a dog sled with a musher on it. So this is the time of year that I like to celebrate it.

So this morning at 5:39 a.m., Alaska standard time—so about 9:30 here in DC—8 days, 14 hours, 38 minutes since beginning a roughly 1,000-mile race, Brent Sass and his team of 11 dogs crossed the finish line.

So here is Brent with his two dogs, yellow roses flown in from—I don't know where those yellow roses came from, but they certainly weren't from Nome, AK.

But that man has traveled with his team for 8 days now, 14 hours, 38 minutes to win the 50th Iditarod.

I had a chance to talk to Brent by phone just about an hour after he went in to Nome. He sounded pretty vibrant, pretty excited, pretty happy.

I had talked to him in the starting gate on Saturday, and I said: Brent, I think this is your time. I think this is your time because you have proved yourself year over year in the Iditarod and certainly in the Yukon Quest.

Brent lives in Eureka, AK, on a homestead that was established back in the 1970s. He is a pretty seasoned musher. He took part in his first Iditarod back in 2012. He got "Rookie of the Year" that year. He is a three-time 1,000-mile Yukon Quest champion.

So the Yukon Quest runs a different race, from Canada into Alaska. It is also a 1000-mile race. It is equally arduous and extraordinarily difficult. He took first place in the Yukon Quest in 2015, 2019, 2020, and also first in this year's abbreviated 350-mile Yukon Quest.

So a couple little quick stories here, because I know I don't have much time, but this guy is pretty exceptional. He is not only a strong competitor, but the care that he provides his dogs is amazing.

One story from 2016: Brent was getting ready to leave the White Mountain

checkpoint. It is about 77 miles from the finish line in Nome. He was teed up here to win third place, and depending on where you are in the rank is how much of the purse you will take home. And if he was going to make third, it was going to be about \$44,000 in prize money. But he is getting ready to leave the checkpoint and his dogs said: Nope, we are not moving.

So think about it. You are that close to \$44,000. You are 77 miles from the finish, and your dogs have said: This has been a long trek, and this is where we are stopping to just rest.

So Brent Sass didn't push those dogs. He waited as they rested, and when they were ready, he took it slow, he took it steady, he brought them to the finish line, and he ended up placing 20th instead of 3rd. And he did that for his team.

And for that, he was recognized twice with the Vet's Choice Award for the care that he shows his dogs.

But it is not just his team that Brent is known for taking care of. He is also known for taking care of his competitors along the trail.

There was a headline a few years back that said "Sass to the Rescue . . . Again."

And time after time, Brent has been highlighted for acts of heroism on the trail. In vicious storms, he has helped mushers and their dog teams reunite after becoming separated on the trail. And keep in mind, there is no rescue team out there. It is you, and if you are lucky enough to have somebody else come upon you—fortunate.

But during one race, a fellow musher was at risk for scratching the race, and instead of leaving him behind, as many competitors might have done, Brent helped him scale Eagle Summit so he could stay in the race.

But one of the most notable rescues took place in 2011 on the trail of the Yukon Quest. Hans Gatt, a four-time champion, was stalled out. He wasn't able to clear the summit. The weather conditions were awful. So Hans did the only thing that he could do, which is to hunker down into a sleeping bag in these horrible winds, the driving cold snow.

Brent's sled comes upon Hans, sees that he is on the verge of hypothermia. He hooks his sled to the back of his own, and he hauls both teams up over the summit. And Brent credits his then-lead dog Silver for guiding them to safety in these awful and harsh conditions. As a result of their teamwork and heroism, the Quest created the Silver Legacy Award in Silver's honor. Brent claims that to be one of the proudest moments of his life.

I wish that I could have been there this morning at 5:39 in Nome to watch Brent cross the finish line as a first-time Iditarod champ with his team. But even from afar, we can hear the Alaskans celebrating Brent for his incredible feat.

So to Brent Sass, we celebrate you. We thank you for the care that you

show your dog team, your character, how you show what it means to be a true competitor and for representing the great State of Alaska so well.

And to all the others that are still on the trail, we wish you well and safety and Godspeed.

I yield the floor.

NOMINATION OF SHALANDA D. YOUNG

Mr. VAN HOLLEN. Mr. President, I rise to support the historic nomination of Shalanda Young to be the next Director of the Office of Management and Budget. Ms. Young brings deep experience with the Federal budget process to her role at OMB, having served as staff director of the House Committee on Appropriations. She has been serving as Acting Director of OMB for the past year, and her top-notch performance in that role leaves no doubt that she is eminently qualified to be confirmed as OMB Director.

Ms. Young came into OMB in March 2021, the same month that Congress passed the American Rescue Plan. This was a time when the Nation faced an uncertain future, with coronavirus vaccines just starting to go out and unemployment remaining stubbornly high at 6 percent. Under Ms. Young's leadership, OMB played a key role to implement the American Rescue Plan to fight the pandemic and move our economy forward. The results have been widespread vaccinations, millions of new jobs, unemployment falling to 3.8 percent, and the fastest economic growth in nearly 40 years.

We have achieved a great deal during the first year of the Biden administration, but we must recognize that there is still so much left to accomplish. Shalanda Young is the right person to have at the helm of OMB to craft responsible budgets and turn the policies we craft into actions that make a real difference for the American people.

The PRESIDING OFFICER (Mr. MURPHY). The Senator from Michigan.

Mr. PETERS. Mr. President, I ask unanimous consent to speak for 2 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PETERS. Mr. President, I rise in support of Shalanda Young's nomination to be Director of the Office of Management and Budget.

Ms. Young has done an exemplary job serving as OMB's Acting Director for the past year. She is a dedicated public servant and a proven leader.

She has played a key role in the administration's efforts to help the Nation recover from the pandemic. She has worked closely with Congress to pass the historic bipartisan infrastructure package, and she is truly committed to making the Federal Government work better for the American people.

I have absolutely no doubt that Ms. Young is the right choice to lead the OMB going forward. I urge my colleagues to join me in voting to confirm Shalanda Young to be the Director of OMB.



## VOTE ON YOUNG NOMINATION

The PRESIDING OFFICER. Under the previous order, all postcloture time has expired.

The question is, Will the Senate advise and consent to the Young nomination?

Mr. PETERS. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Illinois (Ms. DUCKWORTH), the Senator from California (Mrs. FEINSTEIN), and the Senator from New Hampshire (Mrs. SHAHEEN) are necessarily absent.

The result was announced—yeas 61, nays 36, as follows:

[Rollcall Vote No. 80 Ex.]

## YEAS—61

Baldwin	Heinrich	Peters
Bennet	Hickenlooper	Reed
Blumenthal	Hirono	Rosen
Blunt	Hoeven	Sanders
Booker	Hyde-Smith	Schatz
Brown	Kaine	Schumer
Burr	Kelly	Shelby
Cantwell	Kennedy	Sinema
Cardin	King	Smith
Carper	Klobuchar	Stabenow
Casey	Leahy	Sullivan
Cassidy	Lujan	Tester
Collins	Manchin	Van Hollen
Coons	Markey	Warner
Cortez Masto	Menendez	Warnock
Cramer	Merkley	Warren
Durbin	Murkowski	Whitehouse
Gillibrand	Murphy	Wicker
Graham	Murray	Wyden
Grassley	Ossoff	
Hassan	Padilla	

## NAYS—36

Barrasso	Hagerty	Risch
Blackburn	Hawley	Romney
Boozman	Inhofe	Rounds
Braun	Johnson	Rubio
Capito	Lankford	Sasse
Cornyn	Lee	Scott (FL)
Cotton	Lummis	Scott (SC)
Crapo	Marshall	Thune
Cruz	McConnell	Tillis
Daines	Moran	Toomey
Ernst	Paul	Tuberville
Fischer	Portman	Young

## NOT VOTING—3

Duckworth	Feinstein	Shaheen
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The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

## LEGISLATIVE SESSION

PROVIDING FOR CONGRESSIONAL DISAPPROVAL UNDER CHAPTER 8 OF TITLE 5, UNITED STATES CODE, OF THE RULE SUBMITTED BY CENTERS FOR DISEASE CONTROL AND PREVENTION RELATING TO "REQUIREMENT FOR PERSONS TO WEAR MASKS WHILE ON CONVEYANCES AND AT TRANSPORTATION HUBS"

The PRESIDING OFFICER. Under the previous order, the Senate will re-

sume legislative session and proceed to the consideration of S.J. Res. 37, which the clerk will report.

The senior assistant legislative clerk read as follows:

A joint resolution (S.J. Res. 37) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by Centers for Disease Control and Prevention relating to "Requirement for Persons To Wear Masks While on Conveyances and at Transportation Hubs".

The PRESIDING OFFICER. The Senator from Virginia.

Mr. Kaine. Mr. President, I rise in opposition to S.J. Res. 37, which we are now considering and which we will vote on at 5:30.

This is a resolution that would use the CRA process to undo the CDC guidance requiring use of masks on transportation: planes, buses, trains, and some transportation hubs.

I think this is an issue that should be discussed, and, possibly, to use a medical metaphor, a scalpel should be used to make it just right. Unfortunately, the CRA process is a meat cleaver, and this is not the kind of thing we should be using a meat cleaver against.

If S.J. Res. 37 passes, it could lead us to be extremely vulnerable if there were a resurgence in coronavirus cases, as we are seeing in other nations like Germany.

Let me explain. The CDC imposed a mandate to wear masks on transportation in February of 2021—again, planes, buses, trains, and train and bus stations, as well as airports.

We all know that the CDC has recently examined the caseload of COVID-19 in the country and dropped their mask recommendations for most of the Nation. About 98 percent of the American population now live in communities where there is no mask recommendation, thank goodness—not even indoors. That is great.

But in some parts of the country, some parts of my Commonwealth, infection rates are still so high that the mask recommendation for wearing indoors is still one that the CDC strongly recommends.

The CDC mandate, with respect to masks on transportation, was set to expire on March 18, Friday. On Friday, March 18, it was set to expire. After the CDC dropped the recommendation about wearing masks indoors, the CDC decided to extend the mask requirement on transportation for 1 month, from March 18 to April 18.

Why did they do that when they were dropping the mask recommendation indoors for much of the country? Well, the reason was pretty obvious, and they explained it.

Here is the problem with transportation: You might board a bus, plane, or train in an area with low infection but pass through areas of high infection and end up in an area of high infection. So transportation is a little bit different than what should the rules be in an indoor venue in my hometown of Richmond or in communities in Connecticut, where the Presiding Officer lives.

So what the CDC said is, we are going to take an additional month, and we are going to analyze the science around closed spaces—transportation venues—and we are going to look at this issue of traveling from one community to another, and then we will come up with a best recommendation and best guidance with respect to mask mandates in transportation. That sounds very reasonable to me, very reasonable to extend the mask requirement by 1 month.

I would argue to my colleague Senator PAUL—this is his resolution—we should be weighing in with the CDC and giving them best guidance—and, obviously, they are considering what science is recommending; they are in dialogue with the transportation industry that has strong feelings about that—and then seeing what guidance the CDC comes up with in April before the April 18 deadline, to which they have extended.

That would be reasonable, but what this resolution does is not reasonable. It not only wipes out the mask requirement; it wipes it out forever. It states that the CDC no longer will have the authority to impose a mask requirement in transportation unless or until this body passes new legislation allowing them to do so.

That legislation in the Senate would require 60 votes. I would venture to argue that there is no way, in the politicization of COVID, that a piece of legislation giving the CDC the power to do mask mandates in transportation would get 60 votes in this Chamber.

So if S.J. Res. 37 passes, we will have taken away from our premier health authorization the ability to impose a mask mandate if it is necessary.

Now, I pray that it is not necessary. I am happy to see the reduction in COVID caseloads in Virginia and across much of the Nation. But there are parts of Virginia where the caseloads are still high and where masks are still recommended. And there are parts of every one of our States or Commonwealths where the infection rates are still high, and masks are still recommended.

So it is fine to wish that COVID is going away. I mean, Lord, do we all wish that it is going away, but we know that in some parts of the country it isn't. And we also know, if we are looking at the data internationally, that China is experiencing a significant upsurge; Germany is experiencing a significant upsurge.

So what if—what if—we face a new COVID variant that starts to wreak havoc on us, just as Delta did when we thought we were in a decline, just like Omicron did when we thought we were in a decline? What if there is a new variant that comes and starts to wreak havoc more broadly across the country? Wouldn't we want the CDC to have the power immediately, upon an upsurge of COVID nationally, to impose a mask requirement on transportation? If S.J. Res. 37 passes, they will not have the ability to do that.



And what might be the consequences of that? The consequences could be very severe in terms of people's health. We know that. We have experienced now close to a million deaths to COVID. But it also could have severe economic consequences.

Our transportation infrastructure—public transit and buses and trains and planes—is a critical backbone of the American economy, which is now starting to grow and add jobs, thank goodness. But if COVID hits again, and CDC does not have power to impose a mask mandate, many people who use transportation to get to work or to travel to places where they can do their work will no longer feel confident in their ability to do so. Many employees who work in the transportation sector will worry about being exposed to rising COVID case levels and may choose not to work.

So the consequences of another COVID surge in this country are not only health consequences, but they are critical potential consequences to our economy at a time, after 2 years, when, finally, we are seeing some significant GDP growth and job growth and wage and salary growth.

So I would urge my colleagues, don't use a meat cleaver, when this mask mandate is set to expire on April 18. It is barely more than a month away. Don't use the meat cleaver to bar the CDC from taking necessary public health action should there be a resurgence in COVID. Instead, let's work with the CDC and see what guidance they come up with for this April 18 deadline. That would be much better for our public health and much better for our economy.

So for those reasons, I would urge my colleagues strongly to stand with smart economic policy and wise public health policy and not eliminate the ability of the Nation's premier public health Agency from imposing a transportation mask requirement should public health demand it.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. PAUL. Mr. President, there is a very distinct possibility that the mask mandates saved no lives. There is a very distinct possibility that the mask mandates did not change the trajectory or incidence of the coronavirus pandemic. In fact, there is a distinct possibility that mask mandates were simply coercive security theater that did not enhance the public safety at all.

While the efficacy of masks is debatable, the question of whether or not the Federal Government possesses the power to mandate that you wear a mask is not debatable. The 10th Amendment clearly states that powers not specifically enumerated by the Constitution for the Federal Government are retained by the States and the people respectively.

In *United States v. Lopez*, the 10th Amendment is affirmed. The Supreme Court ruled that the Constitution with-

holds from Congress the plenary power that would authorize enactment of every type of legislation. The Supreme Court went on to say that allowing the Federal Government a general police power of the sort retained by the States would violate the principle that the Federal Government is one of enumerated and limited powers.

Furthermore, no statute exists that remotely conveys a power to mandate masks to any Department of the Federal Government. Yet, since March of 2020, unelected bureaucrats from the Centers for Disease Control have incessantly declared that we should "follow the science" and submit to their mandates. But those bureaucrats defy science and practice something closer to sorcery.

For 2 years, they have incanted the magic word "emergency," which they believe conjures up special powers that require each one of us to wear face masks they tell us have talismanic qualities. The only problem with this assertion is that none of it is true. The CDC does not have limitless authority during emergencies, and masks are not effective at preventing the spread of COVID-19.

This, after all, is the same Agency that decided merely by uttering the word "emergency" that it empowered itself to tear up every rental contract in America. Fortunately, the Supreme Court put the CDC in its place, saying that it "imposed a nationwide moratorium on evictions in reliance on a decades-old statute that authorizes it to implement measures like fumigation and pest extermination. It strains credulity to believe that this statute grants the CDC the sweeping authority that it asserts."

But the CDC has yet to learn its lesson. For a third time, the CDC extended the mandate, forcing everyone wishing to exercise their right to travel to wear a mask. The mask, to the CDC, is effectively a passport. Those who work for airlines are compelled to incessantly remind paying customers not only to wear a mask while we board but in between bites and in between sips. "Sir, please put your mask on in between peanuts. Sir, after each peanut, please put your mask on." The absurdity.

Is it any wonder that the Federal Aviation Administration has logged a surge in reports of bad passenger behavior? According to the FAA, nearly two-thirds of the more than 800 reports of unruly passengers this year have been related to masks. Thus, the CDC's mandate is a safety risk to airline employees and passengers alike.

The populace, which has been pushed around too far for too long, no longer sees a flight attendant entrusted to make travel more comfortable but, rather, a border guard who polices the unfriendly skies. And who can blame them when the head of Delta Airlines wants to put the names of vocal opponents of mask mandates on a no-fly list, a place we had supposedly reserved for those suspected of terrorism?

Perhaps we shouldn't be surprised that, as all 50 States either dropped or plan to drop the mask mandates, the CDC stubbornly perpetuates its mandates.

The history of the last 2 years is a history of the CDC making recommendations despite the evidence, not because of it. From the beginning, the CDC has ignored the scientific data that demonstrated the ineffectiveness of masks.

At the beginning of the pandemic, Dr. Fauci advised Americans to refrain from wearing masks, but as we were so often told, the science has changed—except that it really hasn't. At least 30 studies demonstrate that masks have little to no impact on transmission, including those that predate the emergence of COVID, which highlight the lack of effectiveness of masks outside the hospital setting.

In May 2020, an article by researchers at Harvard Medical School published in the *New England Journal of Medicine* not only held that "wearing a mask outside health care facilities offers little, if any, protection from infection" but that one of its few useful functions would be to serve as a reminder of "other infection-control measures."

The article went so far as to state that masks are not only tools but they are also talismans that may help increase healthcare workers' perceived sense of safety. In other words, the masks are a placebo. They might not do anything, but at least they can trick people into thinking they are protected.

Unfortunately for those who support mask mandates, the article went on to warn that "focusing on universal masking alone may, paradoxically, lead to more transmission of COVID-19 if it diverts attention from implementing more fundamental infection-control measures."

Translation: The mere symbolic benefit of universal masking comes with the cost of a false sense of security, which potentially risks further spread. For example, imagine the 80-year-old husband who chooses to wear a cloth mask to take care of his COVID-stricken wife. The CDC has prompted him to believe that wearing a cloth mask will keep him safe, when in reality this misinformation has prompted him to engage in risky behavior.

Among the reasons why masks have such poor results outside a hospital is user error. About a year after the initial reports of COVID cases, a large controlled study of about 8,000 participants was published by the Public Library of Science. That study found that face masks "did not seem to be effective against laboratory-confirmed viral respiratory infections nor against clinical respiratory infection," which was likely due to poor adherence to the protocol.

People simply cannot replicate the hospital setting at all times, in all locations. Even N95 masks cannot help a person who does not know how to use

it. Multiple studies show surgical and cloth masks are not effective in reducing transmission.

In November 2020, a Danish study published in the *Annals of Internal Medicine* found that high-quality surgical masks failed to demonstrate significant reductions in confirmed viral transmissions. This is a large study. This is a randomized controlled study in Denmark with thousands of people who wore masks and thousands of people who didn't wear masks. And—guess what—they had the same incidence of disease.

Additionally, a randomized trial in Bangladesh found that cloth masks did not have a statistically significant effect on COVID transmission.

But we should not be surprised by these results because we have known the limitations of masks for a long time. A 2015 Vietnamese study of 1,600 participants found that cloth masks allowed 97 percent penetration of particles. They took sodium chloride particles the same size as a virus, and they blew them through a cloth mask, and they got 97 percent of the particles on the other side of the mask. They didn't work.

A 2019 study from Nepal found that the pore size of the cloth mask—the opening that air goes through in the cloth mask, the pore size—ranged from 80 to 105 micrometers, but the size of the COVID particle is only 0.12 micrometers. That means that the pores in the cloth masks are more than 650 times as big as the COVID particles.

Science.

If the virus is 650 times smaller than the pore, it is not going to work.

Wearing a mask to stop COVID is like trying to catch flies with a chain link fence. The virus can simply travel right through and around the mask.

And what was Dr. Fauci's prescription, after studying and concluding that masks were ineffective? Wear two masks. He is wearing masks all over his face. Just another one. If only we had four masks, maybe we would be safe. That is not science; that is theater.

The CDC announced that it would look into two masks, but we never heard back from them. A few days later, even Fauci conceded there is no evidence that double masking is going to make a difference. I guess he was just wearing it for style.

Actually, there is data even on double masking, just not the kind likely to be approved by Dr. Fauci. A study published in the *New England Journal of Medicine* in late 2020 monitored nearly 2,000 marine recruits who were subjected to anti-infection measures, including double masking.

What did it find? It found several incidences of COVID still being transmitted despite the double masks. Yet our President, our Governors, and our mayors routinely lectured us to "just wear the damn mask." Now, 2 years later, what benefits did we get from all that masking? Not a damn thing.

A 2021 study published in the *International Research Journal of Public Health* found that there was no association between mask mandates imposed by the respective States and reduced spread of COVID-19. The study verifies what we have seen in the real world.

If you look at mask mandates that were put on State by State or country by country and you compare that to the incidence of the disease, there is no relation. In fact, often the relation is inverse.

Here you have California and Florida. In Florida, if you have been down there—look, even AOC goes to Florida because they won't make you wear a mask. You can do what you want. Nobody has been wearing a mask for 2 years in Florida. California: If you are paddle boarding by yourself, they will send the Coast Guard after you. If you are jogging on the beach in California by yourself, they will arrest you.

Wildly different mandates, yet this is the infection curve for California and Florida. It is the same. Death curves, infection curves, there is no evidence that any State mandate changed anything. In fact, if your objective—at the end of this pandemic, people are going to discover—I don't know if they will ever admit this—that the truth of the matter is nothing that man did other than the vaccine and natural infection, accumulated immunity from both natural and from vaccine sources, slowed this down, as well as the mutation of the virus.

Plexiglass—give me a break. You think the virus doesn't go in and around your plexiglass? We spend millions of dollars on stickers: Stand 6 feet apart. You are on the plane 2 inches from people for 2 hours, and then what do they say?

Please, as you exit the plane, we are going to practice social distancing.

And you can stand 6 feet away from the person you have been 2 inches from for the last 6 hours.

It is "Moronville." It is medieval. They knew more about infectious disease in the medieval ages than they do in today's modern age with the government directing this.

But despite very different mask policies, California and Florida ended up with about the identical outcome. Ashish Jha, dean of Brown University School of Public Health, who provided one of these charts on Twitter, noted that the infection rates for California, which had a mask mandate, and Florida, which did not, have "strikingly similar" infection rates—specifically, 9.5 percent for Florida, 9.54 percent for the draconian mandates of California. They were the same. One place had no freedom; one place had their freedom—and the rate of disease was the same.

Is nobody willing to really look at the science? Are we willing to submit to wearing masks forever?

As journalist Jacob Sullum pointed out, if you compare California to Texas, another populous State that had

no mask mandates, the case trends also are very similar. The same basic pattern was discovered in almost every State. In short, States with mask mandates fared no better than States without them.

Unsurprisingly, nationwide, masks did not prevent transmission or even death. This is a chart looking at the death rate and with the mask mandates. So the dotted line is the mask mandate. Oh, my goodness, we put a mask mandate on, and many more people began to die. Did the masks cause death? No. They just are unrelated. But if you are trying to prove that a mask mandate lessened death, there is no evidence of it. Death went up and then down and then up and down again.

The trends on death, the trends on incidence have nothing to do with plexiglass; they have nothing to do with stickers; they have nothing to do with masks. Yet we did all of these things in medieval fashion.

In the 14th century, the Pope burned incense. They thought they could protect themselves from plague. People wore garlic around their neck, even up to World War I. It didn't work; except the garlic did probably scare some people and keep them away from you.

When the CDC reversed itself—again—in July 2021 and recommended that vaccinated people—who they said didn't have to wear a mask—now had to wear a mask again, the death rate, which had been going down for months, sharply rose again. No relationship unless it is inverse—unless putting on the mask caused the death rate to get worse, there is no relationship between mask mandates and lessening the incidence or lessening death. This is, sadly, yet more evidence that masks do not prevent transmission of disease that, for some, proves deadly.

It has distracted us. We have been distracted and actually comforted by something that is not working. And we have been tricked into engaging in risky behavior: wearing a mask thinking we are safe. With 80 percent of people wearing a mask, most of them are still getting infected. They have been vaccinated, and they are wearing a mask and still getting infected. Maybe we ought to reassess.

Despite all of this evidence, the CDC still cannot bring itself to end its travel mandate. Is it any wonder why this Agency lost so much credibility over the last 2 years? They have lost their credibility because they have treated every American as if we all have the same level of COVID risk.

Because of this approach, our children have suffered the most from the CDC's unscientific mandates. The CDC guidance on school masking is as aggressive as it can get, recommending universal indoor masking by all students aged 2 and older, staff, teachers, and visitors to K-12 schools—regardless of vaccination status. With the CDC calling the shots across the country, kids have not experienced a normal day of school for 2 years. Schoolchildren

have to wear masks all day, which results in complaints of difficulty breathing, headaches, acne, anxiety, and depression.

And by covering the lower half of the face, we have robbed the students of effective visual communication. So profound has been the change in our learning that we have now changed the definition for adequate number of words for children to know. It used to be 50 for normal development; we changed it to 30 because they can't see the faces to mimic people. For people who are hearing impaired, they have even more difficulty if they can't see the lips.

Here is really the big insult of insults. We go to the State of the Union. Now, we have these elderly Senators and these elderly Congressmen, and, finally, they are free of their masks. They take their masks off, and your 4-year-old at home—the chance your 4-year-old dies of COVID is 1 in 2.32 million. They are going to be struck by lightning before they get COVID and die—but these old guys are fine now. They are a thousand times more likely to die from COVID, but they are fine with no mask; but your 4-year-old has to wear a mask—no logic whatsoever in this, no science involved in this. But it is authoritarians run amuck.

Sweden took a dramatically different approach. Swedish schools remained open for the majority of the pandemic and wore no masks—1.8 million kids, not one of them died. If you look at the incidence of the disease among teachers—you say, “We have to put masks on the kids or the teachers will die.”

In Sweden, no masks on the kids and the incidence of disease among the teachers is the same as every other profession in Sweden—no difference. There were lower death rates there than in the U.S. But the one thing the Swedes did not suffer is their test scores were not lower. Their test scores are up, and no one is concerned about the lost years of education or mental development.

Mask mandates on planes don't make any more sense than mask mandates in school. While testifying before the Senate Commerce Committee, Southwest CEO Gary Kelly said that 99.97 percent of airborne pathogens are captured by the airplane filtration system, and it is turned over every 2 to 3 minutes. I think the case is very strong that masks don't add much, if anything, in the air cabin environment.

This is from the CEO of Southwest.

It is very safe and very high quality compared to any other indoor setting.

United Airlines CEO Scott Kirby added that, in fact, air quality on planes is safer than an “intensive care unit” and that sitting next to someone on a plane “is the equivalent of being 15 feet away from them in a typical building.”

It is not just airline CEOs who agree that mask mandates do not make sense. When discussing mask policy, even CNN, even the doctors on CNN—the radical disciples of Dr. Fauci—now

admit that cloth masks are nothing more than facial decoration and the responsibility should shift from a government mandate to an individual mandate. When the leftwing doctors on CNN are getting it, really, you would think the CDC might wake up. Doctors, scientists, airline CEOs are all presented with the science, and those who are all truthful will tell you that the mask mandates are nothing more than COVID theater.

But the mandates have been more like a curse. Think about what you have lost: Fathers were not there and allowed to see their babies born; mothers have given birth to babies alone; our children have fallen behind in education and mental development; weddings were postponed and ceremonies were drastically scaled back; many of us were deprived of one final goodbye to a dying loved one.

We are about to return to normal, and it can't happen soon enough. We are about to get our lives back, to get our liberty, and our pursuit of happiness back. But it won't happen until we finally wake up and say the science doesn't indicate this; until this body that supposedly represents the people votes to say: Enough is enough—enough of the theater, enough of the pseudoscience. Let's let people make their own decisions. But the CDC says no. It has extended again the travel mandate. We have another month of this.

But people are upset. I don't care whether you are a Republican, a Democrat, or an Independent. There are Democrat moms, Independent moms, Republican moms and dads frustrated at their 4-year-old, their 6-year-old going to school for a nonfatal disease—nonfatal to children. Meanwhile, elderly Congressmen and Senators are now running around without their mask on, and they have no problem, but they are going to make your kid wear a mask. It makes no sense.

Now is our chance to say, Enough is enough. We have it within our power today to assure the American people that we are irreversibly going back to normal. We can tell our constituents that the unscientific mask mandates are on the way out once and for all. For once, we can follow the science and put an end to the travel mask mandates.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. MARKEY). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MARSHALL. Mr. President, we finished up some three or four townhalls this weekend, bringing us, I think, over nine. And I will tell you this, Americans know they are being lied to. They know the decisions coming out of the White House and the CDC are politically driven. Let me tell

you this for sure: Kansans are mad, and they are upset, and they know this lie is continuing, and their anger continues to grow. And at the end of every townhall, I can tell you, two or three people will grab me and say: Please, please keep fighting for our freedoms.

This is what else they tell me. They tell me they don't trust the CDC anymore, that the CDC has lost their reputation; and I am telling you, it will be difficult for them to ever get it back.

Now, they are being told that we have to wear masks on airplanes for another month or so—another horrible decision coming from the White House, more ill advice from the CDC. And all the time we know that these masks—with these masks comes a psychosocial downfall, that it creates problems. But the CDC continues to lust for control—to control our lives and exert their control over us, over me, over our children and our grandchildren.

My concern is this: The CDC continues to make decisions as if they are in a vacuum without consideration of the big picture.

Let's just take a moment and talk about where we are today. Ninety-five percent of Americans have some level of immunity—95 percent. New infections are down 94 percent, hospitalizations down over 80 percent. As far as we know, there is no new variant of concern anywhere in the world that is rearing its ugly head right now.

What do we truly know about the science and the benefits of wearing a mask? What do you know about the risk of wearing a mask? Well, I asked the CDC that same question, I am sure, over a year ago now. I asked them for the studies that support their recommendation to wear masks—some 80 studies. I looked at every one of them. I would say half of them weren't worth the paper they were printed on—poor scientific quality, cherry-picking data—but most were still very inconclusive.

A few suggested masks might help if they are worn perfectly, if it is the right type of mask. Some of the studies even said that masks were harmful.

Now, I will acknowledge that in a perfect world that, for a brief period of time, wearing an N95 mask properly could theoretically give a person benefit. But we now know and have now proven that cloth masks have offered little benefit, and they may actually make viruses and infections more common.

Does the CDC really believe masking would help in an airplane? And if they did so, why wouldn't they suggest we wear N95 masks, and why do they allow cloth masks? It just seems very inconsistent.

The big problem is always compliance. Seatbelts don't work unless you wear them. An airbag on the car doesn't work unless you have it turned on. Just look around. Nobody can wear these masks for hours and hours at a time without touching their nose and touching their mouth and adjusting

the mask. Then we take it off to eat and to drink just for moments at a time. In the real world, it doesn't make any sense that the mask would work and certainly not in schools. I think that has been well-proven.

I think we look at Sweden as a country whose mortality is a fraction of ours from the COVID virus, a fraction of its neighboring countries—a country that had very limited use of masks without mandates as well.

I think the big opportunity with airlines is they made a big investment in air exchange. We know air exchange works. From our experiences in surgical centers, we know that when we moved to the modern air exchangers, that a number of infections—post-op infections for joint replacements—went down significantly. We always knew the air replacement was a big part of this.

But, no, this administration continues to want to control our lives. Their healthcare infectious disease czar, Dr. Fauci, decreed that even after airline executives gave testimony that masks were of no benefit, Dr. Fauci decreed that he didn't think masks would ever come off on airplanes. Why? Why would he make such a bombastic, ignorant claim?

It is time to stop all the mandates. It is time to stop all the travel mask mandates. It is time to let our people go.

I yield the floor.

VOTE ON S.J. RES. 37

The PRESIDING OFFICER. Under the previous order, all time is yielded back.

The clerk will read the title of the joint resolution for a third time.

The joint resolution was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. The joint resolution having been read the third time, the question is, Shall the joint resolution pass?

Mr. MARSHALL. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Illinois (Ms. DUCKWORTH), the Senator from New Jersey (Mr. MENENDEZ), and the Senator from New Hampshire (Mrs. SHAHEEN) are necessarily absent.

The result was announced—yeas 57, nays 40, as follows:

[Rollcall Vote No. 81 Leg.]

YEAS—57

Barrasso	Cornyn	Grassley
Bennet	Cortez Masto	Hagerty
Blackburn	Cotton	Hassan
Blunt	Cramer	Hawley
Boozman	Crapo	Hoeven
Braun	Cruz	Hyde-Smith
Burr	Daines	Inhofe
Capito	Ernst	Johnson
Cassidy	Fischer	Kelly
Collins	Graham	Kennedy

Lankford	Portman	Sinema
Lee	Risch	Sullivan
Lummis	Rosen	Tester
Manchin	Rounds	Thune
Marshall	Rubio	Tillis
McConnell	Sasse	Toomey
Moran	Scott (FL)	Tuberville
Murkowski	Scott (SC)	Wicker
Paul	Shelby	Young

NAYS—40

Baldwin	Hirono	Romney
Blumenthal	Kaine	Sanders
Booker	King	Schatz
Brown	Klobuchar	Schumer
Cantwell	Leahy	Smith
Cardin	Lujan	Stabenow
Carper	Markey	Van Hollen
Casey	Merkley	Warner
Coons	Murphy	Warnock
Durbin	Murray	Warren
Feinstein	Ossoff	Whitehouse
Gillibrand	Padilla	Wyden
Heinrich	Peters	
Hickenlooper	Reed	

NOT VOTING—3

Duckworth	Menendez	Shaheen
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The joint resolution (S.J. Res. 37) was passed as follows:

S.J. RES. 37

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress disapproves the rule submitted by the Centers for Disease Control and Prevention relating to "Requirement for Persons To Wear Masks While on Conveyances and at Transportation Hubs" (86 Fed. Reg. 8025 (February 3, 2021); determined through a letter of opinion from the Government Accountability Office dated December 14, 2021, and printed in the Congressional Record on December 15, 2021, on pages S9206-S9208, that the order is a rule under the Congressional Review Act), and such rule shall have no force or effect.*

The PRESIDING OFFICER (Mr. PETERS). The Senator from Rhode Island.

## MORNING BUSINESS

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each, and that I be recognized for up to 20 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

## TRIBUTE TO CHIEF WARRANT OFFICER DONALD R. CRUTCHFIELD

Mr. REED. Mr. President, I request unanimous consent to enter into a colloquy with the Senator from Oklahoma.

As the chairman and ranking member of the Senate Armed Services Committee, we rise to commemorate and celebrate the distinguished career of Chief Warrant Officer Donald R. Crutchfield of the U.S. Army.

Mr. INHOFE. Mr. President, for 24 years, Chief Crutchfield has served the nation with honor and professionalism. Now, as he retires from his post as Assistant Director for General and Flag Officer Matters in the Office of the Deputy Assistant Secretary of Defense for Military Personnel and Policy, we are privileged to thank him for his decades of service.

Mr. REED. Mr. President, a native of Ohio, Don joined the Army in 1998 and has worked at every echelon since, from the 516th Personnel Services Battalion; multiple brigades; III Corps; Office of the Vice Director of the Army Staff; Headquarters of the Department of the Army; and the Army General Officer Management Office. In every assignment, he was known to his colleagues as a dedicated leader and an expert of his craft.

Mr. INHOFE. Mr. President, in addition to extensive service around the country, Don also deployed overseas three times, including 13 months in Iraq in 2004, 9 months in Afghanistan in 2012, and 8 months in Kuwait in 2014. He answered the call to duty time and time again with absolute selflessness, and we all live in a safer and more prosperous nation because of Americans like him.

Mr. REED. Mr. President, Don did not serve alone, however. Throughout his career, he was supported by his family, friends, and colleagues. We owe a special debt of gratitude to Don's wife, Christine, and his daughters, Amber and Lydia, who supported him with strength and love. His contributions to the Nation were possible because of their support.

Mr. INHOFE. Mr. President, we are proud to honor the achievements of Chief Warrant Officer Donald Crutchfield, and, on behalf of a grateful nation, we salute his service. We offer him our thanks and congratulate him on a well-earned retirement.

## NATIONAL KIDNEY MONTH

Mr. CARDIN. Mr. President, this March, as we mark National Kidney Month, we have the opportunity to remember those we have lost to kidney-related illnesses, recognize the work we have done to combat kidney diseases, and recommit to continue and expand on these efforts to improve the care available to those who are suffering.

Kidney disease is the tenth leading cause of death in the United States. Today, more than 37 million Americans have chronic kidney disease. One in three adults is at risk of developing chronic kidney disease, which can lead to kidney failure or end-stage renal disease, an irreversible condition that is fatal without a kidney transplant or dialysis. In Maryland alone, almost 93,000 Medicare patients have been diagnosed with chronic kidney disease, and almost 10,000 of these individuals are currently on dialysis.

As with many health issues, communities across the Nation do not suffer from kidney disease equally. Black Americans make up 35 percent of the people with kidney failure in the United States, despite only making up 13 percent of the U.S. population. Hispanic Americans are 1.3 times more likely to be diagnosed with kidney failure than non-Hispanics. End-stage renal disease is 3.7 times more likely in Black Americans, 1.4 times more likely

in Native Americans, and 1.5 more likely in Asian Americans than in White Americans. Patients of color also wait longer than White patients to receive a deceased donor transplant and are less likely to receive a living donor transplant.

While progress is often too slow, in the past year alone, we have made significant steps to understand and address factors leading to the overrepresentation of certain populations with chronic kidney disease. Following research from the National Kidney Foundation and the American Society of Nephrology, institutions like the University of Maryland Medicine ended the outdated use of race as a factor in diagnosing chronic kidney disease. This change will lead to earlier diagnosis and treatment of Black Americans.

Not surprisingly, the COVID-19 pandemic has had a devastating impact on those with severe chronic medical conditions like kidney disease. Patients with chronic kidney disease or end-stage renal disease are often immunocompromised, especially those on dialysis or taking immunosuppressive medicines as part of the process for a kidney transplant. Consequently, people with kidney disease are at a higher risk of developing a more severe case of, and dying from, COVID-19.

Last year, I reintroduced the Chronic Kidney Disease Improvement in Research and Treatment Act with Senator BLUNT. This legislation takes important steps to expand kidney disease awareness and education, improve the accuracy and transparency of end-stage renal disease quality programs, incentivize innovation in dialysis care, and expand patient choices of insurance coverage.

Nearly one-half of the people suffering from chronic kidney disease do not know they have kidney disease because of inadequate screening programs and a lack of awareness about the disease. My legislation would expand Medicare's annual wellness benefit to include kidney disease screening for at-risk patients and improve access to pre-dialysis kidney education programs to better manage patients' kidney disease—an effort that, in some cases, could actually prevent kidney failure and reduce the \$153 billion Medicare spends on care for kidney patients.

To address health equity issues in chronic kidney disease, my legislation would also require the Department of Health and Human Services to submit a report to Congress on national kidney transplantation rates and make recommendations on prevention and treatment for communities disproportionately affected by kidney failure.

Further, my legislation would expand choices in health insurance coverage to those with end-stage renal disease by guaranteeing access to Medigap policies to all end-stage renal disease Medicare beneficiaries, regardless of

age. Currently, Medicare patients under 65, whether disabled or end-stage renal disease beneficiaries, do not have access to Medigap plans, even though Medicare is their primary insurance.

The best treatment for kidney failure is kidney transplantation from a living donor, but only a third of kidney transplants are of this type. Over 100,000 Americans are on the transplant waitlist with 90,000 of them waiting for a kidney. Only 24,000 kidneys were transplanted in 2021. The average wait time for a deceased donor kidney transplant is 5 years but can be as long as 10 years in some States. But with the direct donation from a living donor, the average time is 3-6 months. Sadly, 114 patients in Maryland died while on the waitlist in 2021. This is why I am also a cosponsor of the Living Donor Protection Act, which works to remove barriers to organ donation and protect the rights of and prohibit discrimination against organ donors, with the goal of increasing the number of living donors.

Although the scientific understanding of kidney disease has progressed immensely, significant gaps persist, and treatment has remained largely the same. Research on kidney failure is underfunded compared with the costs of treating chronic kidney disease and end-stage renal disease. I am proud of what the National Institutes of Health and other Maryland-based research institutions have done to combat kidney disease and other kidney-related illnesses. There is more to do, however, and I look forward to working with my colleagues to fight kidney diseases and bring relief to the millions of Americans who suffer from them.

#### TRIBUTE TO GENERAL KENNETH FRANKLIN MCKENZIE, JR.

Mr. SHELBY. Mr. President, I rise today to honor U.S. Marine Corps General Kenneth Franklin McKenzie, Jr., commander of U.S. Central Command, MacDill Air Force Base, Tampa, FL. General McKenzie is one of our Nation's finest military officers, and he will retire from Active military service on April 1, 2022, with nearly 43 years of distinguished service to our great Nation.

General McKenzie, a native of Birmingham, AL, graduated from The Citadel in 1979 and was commissioned into the Marine Corps as an infantry officer. During his distinguished career, General McKenzie commanded at the platoon, company, battalion, Marine Expeditionary Unit, service component, and combatant command levels. As a lieutenant colonel, he commanded First Battalion, Sixth Marines. As the commanding officer of the 22nd Marine Expeditionary Unit (Special Operations Capable), he led combat deployments to Afghanistan in 2004 and Iraq from 2005 to 2006. From 2006 to 2007, General McKenzie served as the Military Secretary to the 33rd and 34th Commandants of the Marine Corps.

As a general officer, he served on the Joint Staff as a Deputy Director of Operations within the National Military Command Center. He was also selected by the Chairman of the Joint Chiefs of Staff to be the Director of the Chairman's New Administration Transition Team, where he coordinated the efforts of the Joint Staff and the combatant commands during a wartime transition of administrations. General McKenzie later assumed command of the U.S. Marine Corps Forces, Central Command, and most recently took command of U.S. Central Command, a position he has held since 2019.

General McKenzie is an honors graduate of the Army Armor Officer Advanced Course, Marine Corps Command and Staff College, and the School of Advanced Warfighting. In 1999, he was selected as a commandant of the Marine Corps Fellow and served as a senior military fellow within the Institute for National Strategic Studies at the National Defense University.

At a time of great uncertainty in the world, particularly in the Middle East, General McKenzie led U.S. Central Command through multiple momentous events while deterring Iran, defeating ISIS, and securing the region. General McKenzie is an exceptional leader, selfless servant, and American patriot who is committed to our Nation and our interests. With profound admiration and deep respect, we pay tribute for all he has done for the defense of our Nation for more than four decades.

Today, I am honored to recognize General McKenzie's long and decorated career. On behalf of a grateful nation, I commend General McKenzie for his dedicated service to the United States of America. I also wish to recognize the sacrifices and contributions made by General McKenzie's wife, Marilyn, as well as their son, K.R., daughter-in-law, Kristin, and two grandsons, Noah and James. We are a nation truly indebted to all of the servicemembers, veterans, and military families who continue to give so much to defend our American values and liberties. I extend my best wishes to General McKenzie and his family on the occasion of his retirement.

#### TRIBUTE TO JIM LAZARUS

Mrs. FEINSTEIN. Mr. President, I rise today to pay tribute to a friend and senior member of my team, Jim Lazarus, upon his recent retirement from public service. Jim has been a key adviser to me, in official roles and otherwise, for the past 40 years, and I wish him all the very best in retirement.

Jim has spent nearly 50 years of dedicated service to San Francisco and the people of California. After graduating from American University and the University of Santa Clara Law School, he was admitted to the California Bar in 1974 and went to work for Governor Jerry Brown where he, among other things, made strides in protecting the

rights of farmworkers. He then served as the deputy city attorney for the city of San Francisco when I was serving on the board of supervisors.

After a few years in private practice, I was lucky enough to bring Jim back to city hall in 1983 as executive deputy mayor for finance and administration. Jim helped run San Francisco, managing our operations and keeping us in good financial shape. Jim has said, "The best job I ever had was the years I was deputy mayor to Feinstein, a great job if you're a San Franciscan and love the city." And I will add to that: The City of San Francisco benefited greatly from Jim's legal acumen and management during that critical time.

Jim served in a variety of public and civic positions after that, including with the San Francisco Chamber of Commerce, Hunters Point Citizens Advisory Committee, chief of staff to Mayor Frank Jordan, and even chief operating officer of the San Francisco Zoological Society.

Wherever there was a need to solve a problem, Jim was ready and willing to go. It was my good fortune to have him come back to my office in 1999 as State director for my Senate operation. In that role, he oversaw the staff across our State offices and advocated for California's needs in the U.S. Senate.

Unfortunately, Jim was a rolling stone and returned to the San Francisco Chamber of Commerce in 2006, where he remained for 13 years as senior VP for public policy.

Anyone who knows San Francisco can imagine how challenging and sensitive that role must be. It combines the business interests of cutting-edge leaders in high tech, the longstanding commercial goals of mainstream U.S. businesses, and one of the most challenging legal and regulatory frameworks in the United States.

To my eternal gratitude, I was able to convince Jim, at the end of 2018, to put off retirement and come back one last time to be my State director. He was in that position when COVID hit the Nation, and our office went into overdrive to help Californians get through the pandemic and the economic collapse. He has overseen the State staff through California's two worst fire seasons on record and the growing drought. For many months, he has been a trusted friend and partner, going over the issues of day, business before the Senate, and life in San Francisco.

Jim's last day with the Senate was February 28, a day fittingly named "Jim Lazarus Day" in San Francisco by Mayor London Breed. His efforts have made the city a better place and have made me a more effective Senator. In addition to his work at the Federal level, he has been pivotal in protecting and strengthening the rights of so many Californians, to include the LGBT community, the business community, renters, and those seeking clean air and water. He has

made a huge mark over decades improving the services and culture of San Francisco.

Jim has now retired and plans to spend more time with his wife Ann and their children Kate, Nicole, Jack, and Michael. I have no doubt that he will keep his oar in civic life, and I will leave the door open for another chat over a glass of California Chardonnay.

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Swann, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

In executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

#### MEASURES DISCHARGED PETITION

##### MOTION TO DISCHARGE S.J. RES. 37

We, the undersigned Senators, in accordance with chapter 8 of title 5, United States Code, hereby direct that the Senate Committee on Health, Education, Labor and Pensions be discharged from further consideration of S.J. Res. 37, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by Centers for Disease Control and Prevention relating to "Requirement for Persons To Wear Masks While on Conveyances and at Transportation Hubs", and, further, that the joint resolution be immediately placed upon the Legislative Calendar under General Orders.

Rand Paul, Mike Braun, Steve Daines, John Hoeven, Mike Lee, James Lankford, Cynthia M. Lummis, Tom Cotton, Ted Cruz, Tommy Tuberville, Roger Marshall, John Barrasso, Marsha Blackburn, Joni Ernst, James M. Inhofe, Roger F. Wicker, Patrick J. Toomey, Josh Hawley, Kevin Cramer, Roy Blunt, Ron Johnson, Marco Rubio, John Boozman, Rick Scott, Cindy Hyde-Smith, John Cornyn, Chuck Grassley, James E. Risch, Tim Scott, Mitch McConnell.

#### MEASURES DISCHARGED

The following joint resolution was discharged from the Committee on Health, Education, Labor, and Pensions, by petition, pursuant to 5 U.S.C. 802(c), and placed on the calendar:

S.J. Res. 37. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by Centers for Disease Control and Prevention relating to "Requirement for Persons To Wear Masks While on Conveyances and at Transportation Hubs".

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with

accompanying papers, reports, and documents, and were referred as indicated:

EC-3401. A communication from the Chief Innovation Officer, Rural Housing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Multi-Family Housing (MFH) Direct Loan Programs" (RIN0575-AD17) received in the Office of the President of the Senate on March 10, 2022; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3402. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Buprofezin; Pesticide Tolerances" (FRL No. 9067-01-OCSPP) received in the Office of the President of the Senate on March 9, 2022; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3403. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Novaluron; Pesticide Tolerances" (FRL No. 9565-01-OCSPP) received in the Office of the President of the Senate on March 9, 2022; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3404. A communication from the Secretary of the Army, transmitting, pursuant to law, a report relative to an independent assessment of the Department of Defense counter-small unmanned aircraft systems (C-sUAS) program (OSS-2022-0193); to the Committee on Armed Services.

EC-3405. A communication from the Secretary of the Army, transmitting, pursuant to law, a report relative to the Counter-small Unmanned Aircraft Systems (C-sUAS) Executive Agent (EA) activities (OSS-2022-0194); to the Committee on Armed Services.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. SCHATZ, from the Committee on Indian Affairs, with an amendment:

S. 648. A bill to amend the Omnibus Public Land Management Act of 2009 to make a technical correction to the water rights settlement for Shoshone-Paiute Tribes of the Duck Valley Reservation, and for other purposes (Rept. No. 117-93).

By Mr. DURBIN, from the Committee on the Judiciary, with an amendment in the nature of a substitute:

S. 2614. A bill to provide for the modernization of electronic case management systems, and for other purposes.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Ms. ERNST:

S. 3836. A bill to establish within the Executive Office of the President the Taxpayer Watchdog Office; to the Committee on Homeland Security and Governmental Affairs.

By Mr. HAGERTY:

S. 3837. A bill to amend the Defense Production Act of 1950 to ensure the supply of certain medical materials essential to national defense, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. WHITEHOUSE (for himself, Mr. GRAHAM, Mr. BLUMENTHAL, and Mr. WICKER):



S. 3838. A bill to authorize the confiscation of property of certain Russian persons subject to sanctions imposed by the United States and the use of that property for the benefit of the people of Ukraine, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. KLOBUCHAR (for herself, Mr. BLUMENTHAL, Ms. CORTEZ MASTO, and Ms. HIRONO):

S. 3839. A bill to clarify that the Federal Trade Commission Act prohibits excessive and unjustified price increases in the sale of certain products and services when an emergency or disaster results in abnormal disruptions of the market, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Ms. HASSAN (for herself and Ms. SINEMA):

S. 3840. A bill to amend the Internal Revenue Code of 1986 to increase the threshold for the de minimis exception for information reporting by third party settlement organizations; to the Committee on Finance.

By Mr. CASSIDY (for himself and Mrs. BLACKBURN):

S. 3841. A bill to provide for the termination of all contracts between the United Nations Department of Peace Operations and the Russian Federation, and for other purposes; to the Committee on Foreign Relations.

By Mr. WARNOCK:

S. 3842. A bill to amend title VI of the Social Security Act to permit State and local coronavirus fiscal recovery funds to be used to address increased costs of essential items; to the Committee on Finance.

By Ms. ERNST:

S. 3843. A bill to require the Environmental Protection Agency to issue analyses on the environmental and economic impacts of rules and rulemakings of the Environmental Protection Agency, and for other purposes; to the Committee on Environment and Public Works.

By Mr. TESTER (for himself, Mr. TILLIS, Mr. BROWN, and Mr. TOOMEY):

S. 3844. A bill to establish a clear and uniform process, on a nationwide basis, for replacing the London interbank offered rate in existing contracts, and for other purposes; to the Committee on Finance.

By Mrs. GILLIBRAND (for herself and Mr. SCHUMER):

S. 3845. A bill to require the United States Fire Administration to conduct on-site investigations of major fires, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. GRAHAM (for himself, Mr. COONS, Mr. CARDIN, Mr. KING, Ms. ERNST, Mr. TILLIS, Ms. BALDWIN, Mr. CORNYN, Mrs. FEINSTEIN, Mr. MORAN, Mr. RUBIO, Mr. GRASSLEY, Mr. BOOKER, Ms. COLLINS, Mr. VAN HOLLEN, Ms. KLOBUCHAR, Mr. HEINRICH, Mr. MARSHALL, Mr. WICKER, Mr. HOEVEN, Mr. WHITEHOUSE, Mr. BRAUN, Mr. KELLY, Mrs. SHAHEEN, and Mr. DURBIN):

S. Res. 546. A resolution expressing the sense of the Senate condemning the Russian Federation, President Vladimir Putin, members of the Russian Security Council, the Russian Armed Forces, and Russian military commanders for committing atrocities, including alleged war crimes, against the peo-

ple of Ukraine and others; considered and agreed to.

By Mr. MENENDEZ (for himself and Mr. BARRASSO):

S. Res. 547. A resolution recognizing the 201st anniversary of Greek Independence and celebrating democracy in Greece and the United States; to the Committee on Foreign Relations.

## ADDITIONAL COSPONSORS

S. 79

At the request of Mr. BOOKER, the names of the Senator from West Virginia (Mrs. CAPITO), the Senator from Delaware (Mr. COONS) and the Senator from Virginia (Mr. KAINE) were added as cosponsors of S. 79, a bill to eliminate the disparity in sentencing for cocaine offenses, and for other purposes.

S. 349

At the request of Ms. KLOBUCHAR, the name of the Senator from New Hampshire (Ms. HASSAN) was added as a cosponsor of S. 349, a bill to establish an advisory office within the Bureau of Consumer Protection of the Federal Trade Commission to prevent fraud targeting seniors, and for other purposes.

S. 479

At the request of Mr. WICKER, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 479, a bill to amend the Internal Revenue Code of 1986 to reinstate advance refunding bonds.

S. 552

At the request of Mr. CARDIN, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 552, a bill to direct the Administrator of the United States Agency for International Development to submit to Congress a report on the impact of the COVID-19 pandemic on global basic education programs.

S. 623

At the request of Mr. RUBIO, the name of the Senator from Kentucky (Mr. PAUL) was added as a cosponsor of S. 623, a bill to make daylight saving time permanent, and for other purposes.

S. 749

At the request of Ms. HASSAN, the names of the Senator from Washington (Mrs. MURRAY) and the Senator from Alabama (Mr. TUBERVILLE) were added as cosponsors of S. 749, a bill to amend the Internal Revenue Code of 1986 to enhance tax benefits for research activities.

S. 828

At the request of Mr. BARRASSO, the name of the Senator from West Virginia (Mrs. CAPITO) was added as a cosponsor of S. 828, a bill to amend title XVIII of the Social Security Act to provide for the coverage of marriage and family therapist services and mental health counselor services under part B of the Medicare program, and for other purposes.

S. 1408

At the request of Mr. MARKEY, the name of the Senator from South Caro-

lina (Mr. GRAHAM) was added as a cosponsor of S. 1408, a bill to posthumously award the Congressional Gold Medal, collectively, to Glen Doherty, Tyrone Woods, J. Christopher Stevens, and Sean Smith, in recognition of their contributions to the Nation.

S. 1435

At the request of Mr. CORNYN, the name of the Senator from Arizona (Mr. KELLY) was added as a cosponsor of S. 1435, a bill to amend the Federal Trade Commission Act to prohibit product hopping, and for other purposes.

S. 1469

At the request of Mrs. FEINSTEIN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 1469, a bill to amend the McKinney-Vento Homeless Assistance Act to meet the needs of homeless children, youth, and families, and honor the assessments and priorities of local communities.

S. 2178

At the request of Mr. HICKENLOOPER, the names of the Senator from Maryland (Mr. VAN HOLLEN) and the Senator from Montana (Mr. TESTER) were added as cosponsors of S. 2178, a bill to provide collective bargaining rights for fire fighters and emergency medical services personnel employed by States or their political subdivisions, and for other purposes.

S. 2266

At the request of Mr. CARDIN, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 2266, a bill to amend the Internal Revenue Code of 1986 to improve the historic rehabilitation tax credit, and for other purposes.

S. 2907

At the request of Ms. WARREN, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 2907, a bill to establish the Truth and Healing Commission on Indian Boarding School Policies in the United States, and for other purposes.

S. 3018

At the request of Mr. MARSHALL, the names of the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Tennessee (Mrs. BLACKBURN), the Senator from Rhode Island (Mr. WHITEHOUSE) and the Senator from Missouri (Mr. HAWLEY) were added as cosponsors of S. 3018, a bill to amend title XVIII of the Social Security Act to establish requirements with respect to the use of prior authorization under Medicare Advantage plans, and for other purposes.

S. 3048

At the request of Mr. CASEY, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 3048, a bill to authorize the Secretary of Education to establish an Advisory Commission on Serving and Supporting Students with Mental Health Disabilities in Institutions of Higher Education, and for other purposes.



S. 3405

At the request of Mr. BLUNT, the names of the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from Nebraska (Mrs. FISCHER) were added as cosponsors of S. 3405, a bill to require the Federal Communications Commission to issue a rule providing that certain low power television stations may be accorded primary status as Class A television licensees, and for other purposes.

S. 3417

At the request of Mr. BENNET, the name of the Senator from Colorado (Mr. HICKENLOOPER) was added as a cosponsor of S. 3417, a bill to prohibit discrimination against individuals with disabilities who need long-term services and supports, and for other purposes.

S. 3508

At the request of Mr. BLUMENTHAL, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 3508, a bill to posthumously award a congressional gold medal to Constance Baker Motley.

S. 3545

At the request of Mr. MCCONNELL, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 3545, a bill to require the Director of the Bureau of Prisons to be appointed by and with the advice and consent of the Senate.

S. 3580

At the request of Ms. KLOBUCHAR, the names of the Senator from Colorado (Mr. HICKENLOOPER) and the Senator from Tennessee (Mr. HAGERTY) were added as cosponsors of S. 3580, a bill to amend title 46, United States Code, with respect to prohibited acts by ocean common carriers or marine terminal operators, and for other purposes.

S. 3641

At the request of Ms. WARREN, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 3641, a bill to extend protections to part-time workers in the areas of family and medical leave and pension plans, and to ensure equitable treatment in the workplace.

S. 3714

At the request of Mr. HAWLEY, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 3714, a bill to prioritize United States energy independence, and for other purposes.

S. 3742

At the request of Mrs. CAPITO, the names of the Senator from Alaska (Mr. SULLIVAN), the Senator from Illinois (Ms. DUCKWORTH), the Senator from Maine (Ms. COLLINS) and the Senator from Arizona (Mr. KELLY) were added as cosponsors of S. 3742, a bill to establish a pilot grant program to improve recycling accessibility, and for other purposes.

S. 3755

At the request of Mr. BROWN, the names of the Senator from Wisconsin

(Ms. BALDWIN), the Senator from New Mexico (Mr. LUJÁN) and the Senator from Maryland (Mr. CARDIN) were added as cosponsors of S. 3755, a bill to amend the Consumer Financial Protection Act of 2010 with respect to arbitration.

S. 3822

At the request of Mr. LANKFORD, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 3822, a bill to prohibit the President from promulgating new oil and gas regulations until after the Russian troops have withdrawn from Ukraine, and for other purposes.

S. CON. RES. 30

At the request of Mrs. BLACKBURN, the name of the Senator from Louisiana (Mr. CASSIDY) was added as a cosponsor of S. Con. Res. 30, a concurrent resolution expressing the sense of Congress that the United Nations should take immediate procedural actions necessary to amend Article 23 of the Charter of the United Nations to remove the Russian Federation as a permanent member of the United Nations Security Council.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. ERNST:

S. 3836. A bill to establish within the Executive Office of the President the Taxpayer Watchdog Office; to the Committee on Homeland Security and Governmental Affairs.

Ms. ERNST. Mr. President, there are very few things that possess the power to change the course of history almost instantaneously. Information is one.

Consider, right now, citizens in Ukraine are holding one of the most ruthless, autocratic, and powerful men in the world, Vladimir Putin, accountable for his barbaric assault on their country with their firsthand accounts being live-streamed from behind the battle lines.

Putin is attempting to censor coverage of the bloody conflict by threatening to jail journalists and Russian citizens who dare use the word “war” to describe his unprovoked attack.

Even the United Nations instructed its staff not to refer to Russia’s military assault on Ukraine as a “war” or “invasion.” Yet, every day, Ukrainians are bypassing this blockade of information and exposing the Russian tyrant’s atrocities in real time by sharing images of civilians standing up to the heavily armed Russian invaders, the innocent victims and destruction caused by the bombing, and captured Russian soldiers in tears testifying that they were lied to and misled into attacking a peaceful country.

As a result, the people of Ukraine have rallied the world, including many Russians, behind their courageous struggle to preserve freedom and democracy against the largest military assault in Europe since World War II.

This is the power of information.

Authoritarians like Putin cannot hide their dirty deeds in the dark as long as light can be shined to expose the truth. It should serve as a reminder to every single American how important it is that we uphold and defend the fundamental principles of our Nation that make us so great—in particular, our First Amendment.

We should never take these American freedoms for granted. That is why it is important we celebrate the freedom of information every year during Sunshine Week. With widespread distrust in government and the media and Big Tech controlling what facts and opinions can even be shared, it has become increasingly important that each one of us has the power to access facts, unfiltered.

To arm us with information, over the past half century, a number of important laws have been passed by Congress to increase openness in government and give our citizens a right to know. These include the Freedom of Information Act, or FOIA, which allows access to government documents, and the Federal Funding Accountability and Transparency Act, which provides a detailed accounting of how, where, why, and by whom taxpayer dollars are being spent.

To demonstrate the importance of these laws, let me give you a relatively simple example with potentially profound implications.

In the early days of the COVID-19 pandemic, I teamed up with my friends at the White Coat Waste Project to use a combination of these transparency laws to follow a trail of U.S. taxpayer dollars to China’s state-run Wuhan Institute of Virology, where they were being used to pay for dangerous research on coronaviruses. The world is now demanding to know if these studies could have been the source of the COVID-19 pandemic that shut down our planet for the past 2 years and claimed the lives of millions around the globe.

Regretfully, we still don’t know the whole truth because communist China refuses to cooperate and is, instead, destroying evidence and coercing investigators to dismiss any suggestion that the virus might have escaped from the lab. Even many within the free press of our own country, the scientific community, and Big Tech fell for the Communist misinformation campaign, smearing anyone who even suggested the lab could have been the source of the outbreak as spreading “conspiracy theories.”

We refused to be intimidated by this Communist Party’s propaganda and continued our search for the truth. We followed the science and the money and discovered the world was being told a story that was very much different from what was transpiring behind those closed doors.

Thanks, in part, to a transparency law requiring the disclosure of details on projects paid for by U.S. taxpayers, we knew NIH was funding a group

called EcoHealth to conduct experiments on coronaviruses that were obtained from bats in China and that they were doing so in collaboration with the now-infamous Wuhan Institute.

The White Coat Waste Project then used FOIA to obtain internal NIH emails, which revealed the Agency was funding controversial gain-of-function research on coronaviruses at the Wuhan Institute in 2016. They also revealed Dr. Fauci was told as early as January 2020 that COVID-19 looked engineered.

Was this project, paid for with your tax dollars, somehow related to the release of the COVID-19 pandemic, which just happened to begin in the vicinity of the lab in Wuhan?

EcoHealth might know the truth or even provide some clues, but the group's president refuses to answer questions. In fact, he organized a disinformation campaign to discredit scientists who dared to ask that question.

EcoHealth also evaded a number of Federal transparency laws requiring the disclosure of how our tax dollars are being spent. As a result, we still aren't even entirely sure how much of our money was sunk into subsidizing the unsafe, state-run lab in communist China.

Folks, we really deserve the answers, and if EcoHealth won't cooperate voluntarily, then that information will be obtained with subpoenas when Republicans are back in control of Congress. You can mark my words.

This troubling situation demonstrates both the power and the shortcomings of transparency laws. Armed with information, citizens can uphold the government and make it accountable and expose malfeasance but only if the laws are followed, and, right now, many of these laws are all bark and no bite.

So what can a civic-minded Iowan do to get answers from inside the DC beltway bureaucracy?

Well, you know what they say: If you want a friend in Washington, get a dog.

That is why I have introduced the Watchdog Act, which will establish within the White House a new Director of Openness—yes, you have got it, D-O-G—Director of Openness in Government, who will be the taxpayers' best friend. This top dog will hound our government bureaucrats to fetch the facts for our taxpayers. Agencies that would not provide information in a complete and timely manner would be dogged until they do.

In contrast to Russia, where the government controls and censors information, my bill creates a transparency czar to open government and spread information.

Folks, we can't have gatekeepers of truth in a free society. That is why, under my bill, those who censor information, rather than those who share it, will be held accountable.

The best way to restore trust in our public institutions and to discredit

misinformation campaigns is by shining a light on what is really going on in Washington, and with the Sun now setting an hour later every day, we are all reminded what a big difference a little bit of sunshine can make.

#### SUBMITTED RESOLUTIONS

#### SENATE RESOLUTION 546—EXPRESSING THE SENSE OF THE SENATE CONDEMNING THE RUSSIAN FEDERATION, PRESIDENT VLADIMIR PUTIN, MEMBERS OF THE RUSSIAN SECURITY COUNCIL, THE RUSSIAN ARMED FORCES, AND RUSSIAN MILITARY COMMANDERS FOR COMMITTING ATROCITIES, INCLUDING ALLEGED WAR CRIMES, AGAINST THE PEOPLE OF UKRAINE AND OTHERS

Mr. GRAHAM (for himself, Mr. COONS, Mr. CARDIN, Mr. KING, Ms. ERNST, Mr. TILLIS, Ms. BALDWIN, Mr. CORNYN, Mrs. FEINSTEIN, Mr. MORAN, Mr. RUBIO, Mr. GRASSLEY, Mr. BOOKER, Ms. COLLINS, Mr. VAN HOLLEN, Ms. KLOBUCHAR, Mr. HEINRICH, Mr. MARSHALL, Mr. WICKER, Mr. HOEVEN, Mr. WHITEHOUSE, Mr. BRAUN, Mr. KELLY, Mrs. SHAHEEN, and Mr. DURBIN) submitted the following resolution; which was considered and agreed to:

S. RES. 546

Whereas the United States of America is a beacon for the values of freedom, democracy, and human rights across the globe;

Whereas there are several universal declarations and treaties promoting human rights, laws of war, and upholding the dignity of individuals;

Whereas the United Nations Charter Preamble states that member nations "reaffirm faith in fundamental human rights [and] in the dignity and worth of the human person";

Whereas the Universal Declaration of Human Rights Preamble states that "Member States have pledged themselves to achieve, in cooperation with the United Nations, the promotion of universal respect for and observance of human rights and fundamental freedoms";

Whereas the Russian Federation joined as an original member of the United Nations as the former Union of Soviet Socialist Republics on October 24, 1945, and as such has a duty to abide by the conditions of the United Nations Charter and pledges reflected in the Universal Declaration of Human Rights;

Whereas the International Criminal Court (ICC) is an international tribunal that seeks to uphold the rule of law, especially in areas where no rule of law exists, by investigating and trying individuals charged "with the gravest crimes of concern to the international community: genocide, war crimes, crimes against humanity and the crime of aggression";

Whereas grave breaches of the 1949 Geneva Conventions constitute war crimes, including "wil[l]ful killing, torture or inhuman treatment, including biological experiments, wil[l]fully causing great suffering or serious injury to body or health... and extensive destruction and appropriation of property, not justified by military necessity and carried out unlawfully and wantonly";

Whereas other serious violations of the laws and customs applicable in international armed conflict can constitute war crimes,

which can include intentionally directing attacks against the civilian population as such or against individual civilians not taking direct part in hostilities and intentionally directing attacks against civilian objects, that is, objects which are not military objectives;

Whereas President Vladimir Putin, members of the Russian Security Council, and President Putin's military commanders have severely undermined the international rule of law through their various actions;

Whereas, prior to the most recent invasion of Ukraine in February 2022, President Vladimir Putin and the Russian Federation has a long history of committing acts of aggression, human rights violations, and acts that constitute war crimes within the Russian Federation and around the globe, including in Chechnya, Georgia, Ukraine, and Syria;

Whereas, beginning in 1999, the Russian Federation engaged in the indiscriminate use of force against the people of Chechnya, including the use of cluster munitions against civilians, resulting in 50,000 Chechens, mostly civilians, dead or missing;

Whereas, during the Russian Federation's invasion of Georgia in 2008, Russian Armed Forces engaged with cluster munitions in indiscriminate and disproportionate attacks that resulted in the death of civilians;

Whereas, since 2014, President Vladimir Putin has violated the sovereignty of Ukraine and used military force to seize control and unlawfully occupy Crimea, and installed Russian separatist-backed forces in eastern Ukraine, resulting in the deaths of thousands of innocent civilians since 2014;

Whereas the Russian military was deemed responsible for shooting down Malaysia Airlines Flight 17 over eastern Ukraine on July 17, 2014, which resulted in the death of 298 civilians;

Whereas rebel forces supported by the Russian Federation were deemed responsible for a missile attack on January 24, 2015, in Mariupol, Ukraine that indiscriminately killed and injured civilians, resulting in the death of at least 30 and injuring many more;

Whereas, in 2016 and 2017, Russian aircraft deployed "bunker-busting" and incendiary bombs capable of destroying military installations on civilian structures in Aleppo, Syria, resulting in the death of hundreds of civilians;

Whereas President Vladimir Putin is complicit in war crimes and human rights violations in Syria through his continuing political, financial, and military support for President Bashar al-Assad;

Whereas intelligence assessments have concluded Vladimir Putin and his regime have destroyed the rule of law in Russia and engaged in countless atrocities, including ordering the poisoning of Alexei Navalny, the poisoning of Sergei and Yulia Skripal, and the false imprisonment and torture ultimately leading to the death of Sergei Magnitsky;

Whereas President Vladimir Putin, in February 2022, initiated a premeditated, unprovoked, unjustified, and unlawful war against the sovereign nation of Ukraine;

Whereas, since February 24, 2022, President Vladimir Putin and Russian Federation forces reportedly killed more than 500 civilians, to include children, while invading Ukrainian urban centers, causing chaos and fear among Ukrainian citizens;

Whereas, on February 28, 2022, the Ukrainian Ambassador to the United States, Oksana Markarova, claimed President Vladimir Putin ordered the deployment of thermobaric weapons and cluster munitions to be used in the northeastern towns of Okhtyrka and Karkhiv, in populated, urban areas;

Whereas Ukraine has twice submitted to the jurisdiction of the ICC for the purposes

of investigating alleged war crimes and crimes against humanity committed within its territory related to the Russian occupation of Ukraine;

Whereas Lithuania and Canada, members to the authorizing treaty of the ICC, have called on the ICC to open an investigation into alleged war crimes and crimes against humanity committed by Russia;

Whereas, on February 28, 2022, the Prosecutor of the ICC, Karim A.A. Khan QC stated that the ICC would open a third investigation against Russia for alleged war crimes and crimes against humanity committed during the Russian invasion into Ukraine, which began on February 24, 2022;

Whereas Ukraine has also filed a claim in the International Court of Justice (ICJ) instituting proceedings against the Russian Federation related to genocide under the Genocide Convention; and

Whereas the United States Government should use its voice, vote, and influence to pursue war crimes and crimes against humanity allegations against Vladimir Putin and his military commanders in international institutions of which it is a member and encourage other allies and partners to express the same: Now, therefore, be it

*Resolved,*

#### SECTION 1. SENSE OF THE SENATE.

The Senate—

(1) strongly condemns the ongoing violence, including war crimes, crimes against humanity, and systematic human rights abuses being carried out by the Russian Armed Forces and their proxies and President Putin's military commanders, at the direction of President Vladimir Putin;

(2) encourages member states to petition the ICC or other appropriate international tribunal to take any appropriate steps to investigate war crimes and crimes against humanity committed by the Russian Armed Forces and their proxies and President Putin's military commanders, at the direction of President Vladimir Putin;

(3) supports any investigation into war crimes, crimes against humanity, and systematic human rights abuses levied by President Vladimir Putin, the Russian Security Council, the Russian Armed Forces and their proxies, and President Putin's military commanders;

(4) encourages the United States Government and partner nations to use their voice, vote, and influence in international institutions in which they are members to hold President Vladimir Putin, the Russian Security Council, the Russian Armed Forces and their proxies, and President Putin's military commanders accountable for their sponsorship of ongoing violence, including war crimes, crimes against humanity, and systematic human rights abuses; and

(5) stands with the people of Ukraine who have been affected by the brutality of the Putin regime.

#### SEC. 2. RULE OF CONSTRUCTION.

Nothing in this resolution may be construed as—

(1) a declaration of war or an authorization for the use of military force against the Russian Federation; or

(2) authorization for the introduction of the United States Armed Forces into Ukraine.

#### SENATE RESOLUTION 547—RECOGNIZING THE 201ST ANNIVERSARY OF GREEK INDEPENDENCE AND CELEBRATING DEMOCRACY IN GREECE AND THE UNITED STATES

Mr. MENENDEZ (for himself and Mr. BARRASSO) submitted the following res-

olution; which was referred to the Committee on Foreign Relations:

S. RES. 547

Whereas the concept of democracy, in which the supreme power to govern was vested in the people, was developed in ancient Greece;

Whereas the founding fathers of the United States were inspired by ancient Greek political philosophy, which many of them read in the original Greek language, when they formed the representative democracy of the United States;

Whereas Petros Mavromichalis, the former Commander in Chief of Greece and a founder of the modern Greek state, said to the citizens of the United States in 1821, "It is in your land that liberty has fixed her abode and. . . in imitating you, we shall imitate our ancestors and be thought worthy of them if we succeed in resembling you";

Whereas Thomas Jefferson wrote, in an October 21, 1823, letter to Greek scholar Adamantios Koraes discussing the ongoing Greek struggle for independence, that "[n]o people sympathise more feelingly than ours with the sufferings of your countrymen, none offer more sincere and ardent prayers to heaven for their success";

Whereas then-Congressman Daniel Webster, on January 19, 1824, in a speech in support of his resolution to send an American envoy to Greece amid its struggle for independence, recognized "the struggle of an interesting and gallant people. . . contending against fearful odds, for being, and for the common privilege of human nature";

Whereas American Philhellenes, including future abolitionist Dr. Samuel Gridley Howe, future abolitionist Jonathan Peckham Miller, and George Jarvis, traveled to Greece to fight alongside and provide aid to the Greek people in their struggle for independence;

Whereas the people of the United States generously sent humanitarian assistance to the people of Greece during their struggle for independence, often through philhellene committees;

Whereas Greece heroically resisted Axis forces at a crucial moment in World War II, forcing Adolf Hitler to change his timeline and delaying the attack on Russia;

Whereas Winston Churchill said that "if there had not been the virtue and courage of the Greeks, we do not know which the outcome of World War II would have been" and "no longer will we say that Greeks fight like heroes, but that heroes fight like Greeks";

Whereas the United States and Greece have been allies in major international conflicts throughout modern history;

Whereas the Greek-American community has positively contributed to American society and has helped forge strong ties between the United States and Greece;

Whereas the United States greatly contributed to the reconstruction of Greece after World War II;

Whereas NATO membership has further enhanced cooperation between the United States and Greece;

Whereas Greece is an integral part of the European Union;

Whereas Greece is a strategic partner of the United States in bringing political stability and economic development to the Balkan region, having actively contributed to the Euro-Atlantic integration of the countries of the region and having been a major investor in Southeastern Europe, including in critical infrastructure;

Whereas Greece participates in and actively promotes several formats for regional partnership in the Eastern Mediterranean;

Whereas the United States has demonstrated its support for the trilateral partnership of Greece, Israel, and Cyprus by en-

acting into law the Eastern Mediterranean Security and Energy Partnership Act of 2019 (title II of division J of Public Law 116-94) and through joint engagement with Greece, Israel, and Cyprus in the "3+1" format;

Whereas this support was bolstered in the United States-Greece Defense and Interparliamentary Partnership Act of 2021 (sub-title B of title XIII of Public Law 117-81), establishing a 3+1 Interparliamentary Group to discuss the expansion of co-operation in other areas of common concern;

Whereas the United States and Greece's commitment to security cooperation led to the conclusion of a Mutual Defense Cooperation Agreement, which was updated in 2021 in order to enhance defense ties between the two countries and promote stability in the broader region;

Whereas the ongoing United States-Greece Strategic Dialogue reflects Greece's importance to the United States as a geostrategic partner, especially in the Eastern Mediterranean and Balkans, and as an important NATO ally;

Whereas the Governments and people of Greece and the United States are at the forefront of international efforts to advance freedom, democracy, rule of law, human rights, peace, and stability;

Whereas those efforts and similar ideals have forged a close bond between the peoples of Greece and the United States; and

Whereas it is proper and desirable for the United States to celebrate March 25, 2022, Greek Independence Day, with the people of Greece and to reaffirm the democratic principles from which those two great countries were founded: Now, therefore, be it

*Resolved,* That the Senate—

(1) extends warm congratulations and best wishes to the people of Greece as they celebrate the 201st anniversary of the independence of Greece;

(2) expresses support for the principles of democratic governance to which the people of the United States and Greece are committed;

(3) notes the important role that Greece has played in the wider European region and in the community of nations since gaining its independence;

(4) commends the contributions of the Greek-American community to the United States and its role as a bridge between the two countries;

(5) commends the critical role Greece plays in promoting stability in the Eastern Mediterranean and Western Balkans; and

(6) appreciates the important energy partnership that exists between the United States and Greece, and the important role that Greece plays in bolstering European energy security.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 5000. Mr. RUBIO proposed an amendment to the bill S. 623, to make daylight saving time permanent, and for other purposes.

#### TEXT OF AMENDMENTS

**SA 5000.** Mr. RUBIO proposed an amendment to the bill S. 623, to make daylight saving time permanent, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Sunshine Protection Act of 2021".

## SEC. 2. MAKING DAYLIGHT SAVING TIME PERMANENT.

(a) REPEAL OF TEMPORARY PERIOD FOR DAYLIGHT SAVING TIME.—Section 3 of the Uniform Time Act of 1966 (15 U.S.C. 260a) is hereby repealed.

(b) ADVANCEMENT OF STANDARD TIME.—

(1) IN GENERAL.—The second sentence of subsection (a) of section 1 of the Act of March 19, 1918 (commonly known as the “Calder Act”) (15 U.S.C. 261), is amended—

(A) by striking “4 hours” and inserting “3 hours”;

(B) by striking “5 hours” and inserting “4 hours”;

(C) by striking “6 hours” and inserting “5 hours”;

(D) by striking “7 hours” and inserting “6 hours”;

(E) by striking “8 hours” and inserting “by 7 hours”;

(F) by striking “9 hours” and inserting “8 hours”;

(G) by striking “10 hours,” and inserting “9 hours”;

(H) by striking “11 hours” and inserting “10 hours”;

(I) by striking “10 hours.” and inserting “11 hours.”.

(2) STATE EXEMPTION.—Such section is further amended by—

(A) redesignating subsection (b) as subsection (c); and

(B) inserting after subsection (a) the following:

“(b) STANDARD TIME FOR CERTAIN STATES AND AREAS.—The standard time for a State that has exempted itself from the provisions of section 3(a) of the Uniform Time Act of 1966 (15 U.S.C. 260a(a)), as in effect on the day before November 5, 2023, pursuant to such section or an area of a State that has exempted such area from such provisions pursuant to such section shall be, as such State considers appropriate—

“(1) the standard time for such State or area, as the case may be, pursuant to subsection (a) of this section; or

“(2) the standard time for such State or area, as the case may be, pursuant to subsection (a) of this section as it was in effect on the day before November 5, 2023.”.

(3) CONFORMING AMENDMENT.—Such section is further amended, in the second sentence, by striking “Except as provided in section 3(a) of the Uniform Time Act of 1966 (15 U.S.C. 260a(a)), the” and inserting “Except as provided in subsection (b).”.

(c) EFFECTIVE DATE.—This Act and the amendments made by this Act take effect on November 5, 2023.

## AUTHORITY FOR COMMITTEES TO MEET

Mr. WHITEHOUSE. Mr. President, I have nine requests for committees to meet during today’s session of the Senate. They have the approval of the Majority and Minority Leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today’s session of the Senate:

### COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on Tuesday, March 15, 2022, at 9:30 a.m., to conduct a hearing.

### COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs is authorized to

meet during the session of the Senate on Tuesday, March 15, 2022, at 2:30 p.m., to conduct a hearing.

### COMMITTEE ON FINANCE

The Committee on Finance is authorized to meet during the session of the Senate on Tuesday, March 15, 2022, at 10 a.m., to conduct a hearing.

### COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Tuesday, March 15, 2022, at 10 a.m., to conduct a hearing.

### COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Tuesday, March 15, 2022, at 2:30 p.m., to conduct a hearing on nominations.

### COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor, and Pensions is authorized to meet during the session of the Senate on Tuesday, March 15, 2022, at 10 a.m., to conduct a hearing.

### COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Tuesday, March 15, 2022, at 10 a.m., to conduct a hearing.

### SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Tuesday, March 15, 2022, at 2:30 p.m., to conduct a closed briefing.

### SUBCOMMITTEE ON IMMIGRATION, CITIZENSHIP, AND BORDER SAFETY

The Subcommittee on Immigration, Citizenship, and Border Safety of the Committee on the Judiciary is authorized to meet during the session of the Senate on Tuesday, March 15, 2022, at 3 p.m., to conduct a hearing.

## U.S. SUPREME COURT

Mr. WHITEHOUSE. Mr. President, I rise again to discuss the scheme that has captured and now controls America’s Supreme Court.

If you have been following this series of speeches, you know that we have gone over the Powell memo and the plan it laid out for the corporate rightwing. We have gone over the technique of Agency capture, regulatory capture, that has been applied to the Supreme Court. We have gone over the turnstile, that big anonymous rightwing donor setup within the Federalist Society to approve Republican nominees and the dark money front groups that sped those nominees through Senate confirmation. And we have discussed how the big rightwing donor interests influence Justices while they are on the Bench, through fast lanes for dark money litigation and flotillas—flotillas—of dark money amici curiae, front group amici.

Well, if you set up a machine like that, you will pretty soon see Justices

auditioning for the role. To understand the origins of this auditioning, you need to start with a little bit of history.

It is 1990, and President George H. W. Bush needs to fill a vacancy left by the legendary Justice William Brennan. President Bush appoints a recent First Circuit nominee named David Souter, who had spent most of his career in New Hampshire State government.

At the time, Republicans thought Souter’s short time on the Federal bench was an asset. Without a long paper trail, there was less chance that Souter’s nomination would go down in flames, like Robert Bork’s had.

But Souter wasn’t the conservative the rightwing hoped for. Indeed, he could be down-right moderate. In their disappointment, they adopted a new mantra: “No More Souters.”

When rumors got around that George W. Bush might nominate his White House Counsel, Alberto Gonzales, to the Court, he was not seen as rightwing enough, and the scheme panicked and the mantra became “Al Gonzales is Spanish for ‘David Souter.’”

John Paul Stevens was another rightwing disappointment. So “No More Souters” as a mantra was joined by “No More Stevenses.”

With these disappointments, the rightwing donors and their Federalist Society accolades vowed to better groom and vet future candidates, scouring Republican nominees’ records for maximum adherence to scheme orthodoxy.

Well, once that process was up and operating, the response was predictable. Ambitious rightwing lawyers aspiring to the Federal Bench aren’t dumb. They will follow the path that guides them to their goal. So the maximum adherence auditioning began. I have described the circuit court judge who observed his colleagues taking cases and issuing rulings that seemed to have the clear intent of sending a signal. They strained to write decisions that were dressed to impress. They were, in his word, “auditioning”—auditioning for the Federalist Society gatekeepers.

So how exactly does this auditioning work? There is a recipe:

One, you have got to understand what matters to the big donors: guns, unbridled campaign spending, corporate political power, shrinking the so-called administrative state, and rightwing social issues.

Two, fly solo. It can actually help if you go it alone. Write opinions so extreme that they stand out and donors take notice.

And, three, of course, where you can, deliver the goods. If a case allows you to score a win for a big donor interest, take it.

Three Justices who knew this recipe well were the trio nominated by Donald Trump.

As a circuit court judge, Neil Gorsuch became a darling of the rightwing donor elites for his commitment

to dismantling this so-called administrative state. To do that, he deployed radical legal theories cooked up and propagated in the scheme's legal theory hothouse, where they developed schemes, kind of reverse-engineering them to give victories in cases.

In one instance, Gorsuch even wrote two opinions for the same case: one, the majority opinion that his colleagues joined; and the other, an out-there solo opinion displaying his scheme bona fides.

Gorsuch also displayed his fervor for what he called religious freedom, which usually translates to dismantling the separation between church and State, which is another scheme favorite.

Justice Amy Coney Barrett knew how to audition too. In one case, Barrett's Seventh Circuit Court of Appeals declined to hear a challenge to an Indiana law on women's right to choose. Barrett bucked the majority to stakeout an eyebrow-raising position on the right, joining a dissent aimed directly at Supreme Court abortion precedent.

On guns, Judge Barrett authored an opinion in a Second Amendment case called *Kanter v. Barr* that would have given a felon back his gun because his felony wasn't violent. Constitutional scholars' jaws hit the floor at that one.

Adam Winkler, a Second Amendment expert at UCLA Law School, told the *New Yorker* that the opinion was "Amy Coney Barrett's audition tape for the Supreme Court." And it was her audition tape because her "view of the Second Amendment [was] outside of the mainstream" and "would appeal . . . to the Federalist Society."

Of course, the biggest auditioner of all was Brett Kavanaugh. On the DC Circuit, Kavanaugh did so much auditioning it is hard to know where to begin. He issued opinions on abortion, on guns, on the administrative state, on campaign finance, and more. He was not concerned with building consensus. He wanted to make a point.

Here is Washington Post editor Ruth Marcus in her book on Kavanaugh:

His more liberal appeals court colleagues found him affable but unyielding. He would engage but rarely, if ever, change his mind, [and he] displayed a propensity for filing separate concurrences and dissents, actions that some colleagues took as judicial grandstanding and, more to the point, an effort to position himself for a Supreme Court seat.

Auditioning—in fact, Kavanaugh dissented more each year on the bench than any of his DC Circuit colleagues, whether Republican or Democratic appointees.

Kavanaugh made clear that he would be on the team if on the Court. Kavanaugh pumped up the "major questions" doctrine—one of the hothouse legal theories pushed by the far right. It says that courts should ignore an Agency's authority to solve a problem if the court thinks the problem is too big. Big regulated companies love having regulatory Agencies hobbled. So this was catnip for scheme donors.

The majority in that case panned Kavanaugh's "major questions" idea, which hadn't even been raised by the parties, but Kavanaugh wasn't out to win votes from his colleagues, and he wasn't out to do justice in that case. He was firing an auditioning flare for scheme operatives and donors to see from miles around.

Like Barrett, Kavanaugh did his own publicity. He spoke at 52—count them, 52—Federalist Society events over his career. You almost couldn't keep him out. And he wasn't the only one seeking an audience with the Federalist Society donor elite. After Trump's election, 9 of the 21 people on Trump's short list spoke at a 3-day Federalist Society panel dedicated to remembering Justice Scalia, and almost all the others were hanging out, mingling in the crowd. It was a judicial beauty pageant, with some real beauties.

Kavanaugh had a little problem. He wasn't on Trump's first list of potential Supreme Court picks, and he wasn't on the second list either. But all that eager auditioning got him onto the third list, and the rest is history.

I am not alone in noting all this auditioning. Here is how one writer for *Slate* paraphrased former U.S. District Judge Nancy Gertner about scheme auditioning:

[C]onservative judges auditioning for SCOTUS—

Supreme Court of the United States—

go all out proving their Federalist Society bona fides: Gorsuch used his judicial opinions on the appeals court to advertise himself as an enemy of the administrative state and a diehard proponent of religious freedom; Kavanaugh flaunted his support of the unitary executive and hostility to reproductive rights to earn a spot on President Donald Trump's short list; Amy Coney Barrett brandished her Second Amendment maximalism.

As the *Slate* writers note:

The conservative legal movement rewards this kind of flagrantly ideological auditioning. Republicans demand evidence that their justices will aggressively overturn precedent and laws that conflict with their political goals.

As I said earlier, "no more Souters," "no more Stevenses."

That is the auditioning by these sitting Justices.

I will close my remarks with an example of what happens when you haven't auditioned for the scheme.

When Justice Sandra Day O'Connor announced her retirement, George W. Bush wanted to replace her with his friend and loyal White House Counsel, Harriet Miers. Miers was a dyed-in-the-wool conservative. She had served Bush and his inner circle faithfully. But she wasn't a Federalist Society insider. She didn't have a record of auditioning for the big donors behind the Federalist Society's turnstile. She couldn't soothe those rightwing donors that she was "no Souter," "no Stevens." Her sin wasn't anything in particular; she just wasn't part of the club.

As Supreme Court scholar Amanda Hollis-Brusky put it:

The message Leonard [Leo] and others had sent was: If you want to rise through the ranks, we need to know you. And that's what they were all saying about Miers—"We don't know her. She is not one of us."

Leonard Leo, by the way, is sort of the spider at the center of the web of donor interests that drive the turnstile at the Federalist Society during Republican Presidencies.

We are now embarking on the confirmation process of someone who has not auditioned to donor elites for a seat on the U.S. Supreme Court. No dark money machine guided her selection. That is refreshing.

Still, the auditioning continues on the right for the next time a Republican President holds office. Scheme donors expect standout candidates who wear their commitment to their donor welfare on their sleeves. Watch closely for more. To be continued.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

## UKRAINE

Mr. PORTMAN. Mr. President, I come to the floor again today to stand with the people of Ukraine.

What Russia is doing to Ukraine and its citizens is an atrocity. Ukraine is an American ally and an independent and democratic country of 41 million people who simply want to live in peace.

The Russian invasion is an illegal, unprovoked, and brutal assault that, over the past 19 days since the full-scale invasion began, has targeted and killed thousands of civilians. Americans have seen this atrocity in realtime with horrific videos online or on our television screens.

The videos and photos have sometimes been shocking. Remember the one of the woman who was on a stretcher, pregnant, leaving the maternity hospital that had been bombed by the Russians. We now learned that that woman and her baby have died. Today we learned that more journalists have been killed, including an American journalist, a FOX News cameraperson.

I just returned last night from a bipartisan congressional delegation trip to Poland, neighboring Ukraine. I was joined on that trip by Senator KLOBUCHAR, Senator WICKER, and Senator BLUMENTHAL. I see Senator WICKER is here on the floor. Senator BLUMENTHAL is also here. Senator KLOBUCHAR has a conflict. She wanted to be here, but she is going to be submitting her statement for the record to join us tonight.

We had a very emotional trip because we talked to a lot of the refugees coming out of Ukraine, talked about the incredible trauma they are going through. We also got some very sobering briefings when we were over there from our own team but also from the Polish Government, from people who were helping the refugees.

It is a very difficult situation. Poland is doing what they can to help their

neighbor. They have a special bond with Ukraine, and they are doing a lot. In fact, most of the nearly 2 million refugees who have fled Ukraine because of this invasion and the brutal attacks have come to Poland, where they have been met with open hearts and open homes. Literally, people in Poland are opening up their homes to these refugees. We were at the border, where some of these Polish families have come to welcome Ukrainians into their apartments, into their homes.

In addition to briefings from our U.S. Embassy team in Poland; the U.S. Embassy team from Ukraine, who is now in Poland; the U.S. military in Poland; and the Polish Government, we did go down to the border between Ukraine and Poland to meet with the border officials from Poland, U.S. and Polish international relief organizations, and, of course, with the refugees themselves who were streaming across the border.

Roughly, 100 refugees every minute are leaving Ukraine. It was heart-breaking to hear their stories. You can imagine. We spoke to them at the border crossing but also a couple miles away at what is called the reception center, a convention center that has been converted into a place where thousands of refugees can come, get a good night's sleep, maybe stay for a few days or even a few weeks, find food, find healthcare, find mental health treatment.

Most of this, by the way, has been donated. The Polish people have donated bed sheets and blankets and quilts. We worked there as volunteers with what is called the World Central Kitchen, something actually a Washington, DC, chef, Jose Andres, has set up at natural disaster areas to help feed people. He is now doing this on the border with Ukraine and in Ukraine. In fact, he has about 20 different World Central Kitchens set up. This one was at this reception center being used by refugee families who need to find some comfort and food, as they have made a long trek, in many cases, across Ukraine to get there.

There are also lots of displaced people in Ukraine itself, and those people are being helped by the same group, this World Central Kitchen. I thank them. I thank all the volunteers who give them support and help so that they can lend a hand at these reception centers and help these refugees along their way.

I also thank so many other volunteers we saw there from every organization: Catholic relief organizations, other faith-based organizations, the World Health Organization, and others.

We were at the border only about 6 hours after the Russian missiles had attacked and killed at least 35 and wounded more than 130 at a Ukrainian training center just 15 miles away. The border guards said they had felt the Earth tremble when the bombing attack occurred, again, just several hours before we got there.

This was the first Russian attack so close to the western border with Eu-

rope and so close to a NATO ally, a potentially dangerous new phase of the Russian assault.

We met refugees there from all over the country, the vast majority of whom were mothers with their children, sometimes grandmothers with their grandchildren. Men between 18 and 60 are required to stay and fight, so we heard some really tough stories about families being split apart and moms and wives and sisters wondering whether their sons and husbands and brothers who were in harm's way were still alive.

Some refugees had traveled by bus, some by foot, some on trains. Some had come over Ukraine for several days. They told of heart-wrenching stories of their homes being destroyed, of friends and family being wounded by the indiscriminate Russian bombing of civilian areas. They had backpacks or small suitcases; that is it. They had to travel and travel quickly and travel light. They left everything else behind, including, again, in some cases, family members.

Some, again, had been traveling for several days. One family we met from the eastern part of Ukraine said it had been over 2 weeks. Some who lived close to the border had only made the difficult decision to leave their homes that very morning after the bombing of the training center 15 miles away. Refugees spoke with tears in their eyes about the pain of leaving their homeland, and all the families I spoke with said they want to go back when it is safe.

Many said they appreciated what America had done, but just about every single refugee we talked to asked that the United States of America and other countries around the world do more particularly to stop the deadly bombing of civilian targets and the senseless destructions of their towns and cities.

In particular, they begged us to close the skies, as they said: Keep us from getting bombarded. Stop the carnage. They were very proud of the courage of the Ukrainian soldiers—they are patriots—and, of course, of the citizen soldiers, sometimes including their own family who have stepped forward. They were proud of the bravery and leadership of President Zelenskyy.

But consistent with what we have heard from the military experts on the trip and what many of us have heard directly from President Zelenskyy, these families, these refugees—the grandmothers, the mothers—said the ability to provide better air cover with more and better ways to protect them is what they really want.

What President Zelenskyy and others have said is better anti-air systems, better ways to protect against missile attacks, anti-missile systems, drones, airplanes—that that is the single most important thing we can do to save lives and give Ukrainian military fighters, the civilian soldiers we talked about—professional soldiers—give them a chance, give them a fighting chance.

Other countries on the frontlines also need to know we are with them, especially our NATO allies, because they are nervous, as you can imagine. While in Poland, we met with hundreds of 82nd Airborne troops who have come to Poland in the past couple of weeks, along with some troops from other NATO countries. We have gone from about 5,000 U.S. troops in Poland to about 10,000 troops over the past couple weeks, and the Polish Government and the Polish people are deeply appreciative. They believe that this it is a deterrent to Russia making an even bigger mistake and coming into their country.

We received extensive briefings from the Polish Government but also from the 82nd Airborne, and we were able to join troops for dinner to hear directly from them. I was fortunate there were a lot of Ohioans there, and hearing from them made me very, very proud that they were willing to step forward and serve their country in this way.

We listened carefully to everybody. We listened to the refugees, listened to the humanitarian aid workers, listened to the U.S. diplomats, to the military experts, as well as the Polish military officials. There were differences of opinion, to be sure, on some of the specifics but actually broad agreement on the ongoing role the United States can play.

Based on what we learned, the following steps should be taken immediately. First, on the military side, we have got to redouble our efforts to provide Ukraine with the equipment and the munitions they need and, where necessary, the immediate training to provide the air defenses they need to give them better capability—defense and offense.

Whether to facilitate providing more MiG-29s from Poland or not has been hotly debated in this past week. In my view, we should have done it when it got that initial green light from part of this Biden administration because the Ukrainians asked for them, and I don't believe they are any more escalatory, certainly, than the escalation the Russians are engaged in virtually every day and what we have done and continue to do on other weapon transfers. So we should have done it immediately and quietly. But the administration seems to have dug in on this for now, and it has become too much of a public debate. I would hope that at least they would facilitate spare parts and other assistance to keep the current Ukrainian planes flying.

Perhaps more promising is to immediately help Ukraine bolster its anti-air systems. The United States can and should facilitate the transfer of Soviet-era anti-aircraft and anti-missile systems so the Ukrainians know how to operate them. And there are a number of regional partners that have this equipment.

Without going into detail, this should also include extra munitions to replenish existing anti-air batteries



that the Ukrainians have. In conjunction with transferring anti-air systems and aircraft, we need to continue to provide Stingers and enhancements to them.

All can be useful in shooting down the Russian fighters and the missiles that are raining bombs on innocent Ukraine civilians and causing so much needless death and destruction. We must find ways to quickly provide Ukraine with more armed drones, such as the Turkish TB2, which the Ukrainians know how to use and have been devastatingly effective on the battlefield already.

Especially now that Congress has passed the omnibus spending bill with a bump-up for defense and specific additional security systems for Ukraine and higher drawdown authority for the President, there can be no excuse for a gap in the flow of arms to Ukraine. We want to be sure that this is seamless. As we complete one tranche of help to Ukraine, there cannot be a gap before we do another. We must move more quickly. Ukraine needs this help. It is a matter of hours and days, not a matter of weeks or months.

In addition to the items mentioned above, this also means more anti-tank Javelin missiles but also small arms, munitions, body armor, communications equipment, anti-tank, mining, anti-ship weapons, and more so the brave Ukrainian soldiers can continue to protect their country and their citizens.

Before I talk about the second part of this, which is the humanitarian side of this effort, I would like to ask my colleagues, whom I see are here on the floor with me, if they have any comments particularly about what Ukraine needs right now in terms of military assistance to be able to be effective or other comments that they might have.

Mr. WICKER. Would the gentleman yield?

Mr. PORTMAN. The gentleman will yield.

Mr. WICKER. And perhaps we can proceed in colloquy form.

The PRESIDING OFFICER (Ms. HASSAN). Without objection, it is so ordered.

Mr. WICKER. Madam President, I thank my dear friend from Ohio, and I see that we have been joined by my friend from Connecticut.

We did have a bipartisan American delegation in Poland and on the Ukrainian border this weekend. I don't recommend, for tourism purposes, a weekend trip to Eastern Europe and back. It is pretty hard on the anatomy. But I think we flew the colors for the United States, for the U.S. Senate, and made a bipartisan point.

And my colleagues can speak for themselves about exactly where they come down on these issues, but it was clear from the statements we made that the United States can do more and should be doing more.

And I call on the administration tonight to listen to the learned words of

the distinguished Senator from Ohio. Yes, I support the MiGs from Poland and from other Eastern European countries. I think the debate got awfully heightened. I don't know why we needed to have an international discussion among allies about that rather than just do it. And maybe that should be a lesson to us on other decisions, which I hope we are about to make, but there are certainly other weapons that we can facilitate in delivering.

Does it make any sense to say that smaller weapons delivered from the United States are OK to fire against the Russian aggressors in Putin's war, but more effective MiG aircraft from NATO somehow would be escalatory?

Listen, our friends are in a war against the remaining dictator and tyrant on the face of the Earth; and if we are not willing—as we are not—to get involved directly in that war, yes, we ought to give our friends the weapons they need to win.

Let me say this: I hear debate in the newspaper and on the media—even today—about an off-ramp, what Putin would agree to, to simply quit fighting: If we give him some of the territory that he thinks he has already conquered, Ukraine would get to have part of their country, and everything would be OK. It makes me feel like, somehow, I have been transported to 1938 and 1939, hearing talk about what Adolf Hitler might agree to, to avoid a world war.

Madam President, it is my understanding that the distinguished majority leader has a unanimous consent request, and I am willing to defer our debate at this point to accommodate some administrative matters that need to be taken care of.

Mr. SCHUMER. Madam President, I want to thank my friend and colleague from Mississippi, as well as my friend and colleague from Ohio and from Connecticut.

We have one very important unanimous consent request that I will mention now and ask that unanimous consent request and then do the other ones as well. It will take a few minutes, and I appreciate that.

**EXPRESSING THE SENSE OF THE SENATE CONDEMNING THE RUSSIAN FEDERATION, PRESIDENT VLADIMIR PUTIN, MEMBERS OF THE RUSSIAN SECURITY COUNCIL, THE RUSSIAN ARMED FORCES, AND RUSSIAN MILITARY COMMANDERS FOR COMMITTING ATROCITIES, INCLUDING ALLEGED WAR CRIMES, AGAINST THE PEOPLE OF UKRAINE AND OTHERS**

Mr. SCHUMER. Madam President, in a few minutes, we will pass a resolution, S. Res. 546, condemning the Russian Federation, condemning Vladimir Putin, and expressing the sense of the Senate condemning the Russian Federation, Putin, and members of Russian security council, Russian Armed

Forces, and Russian military commanders for committing atrocities, alleged war crimes against the people of Ukraine.

It has been 19 days—19 long, bloody days since the war erupted on the European continent. Today, all of us in this Chamber join together as Democrats and Republicans to say that Vladimir Putin cannot escape accountability for the atrocities committed against the Ukrainian people. The legislation passing today, championed by Senator GRAHAM, sends an unmistakable message that the United States stands with Ukraine, stands against Putin, and stands with all efforts to hold Putin accountable for the atrocities levied upon the Ukrainian people.

Putin is not winning militarily, so now, this evil man is trying to win by massacring civilians, massacring babies, parents, the elderly, pregnant women, shooting at hospitals, sending missiles to hospitals, apartment buildings, et cetera—just as he did in Syria, just as he did in Chechnya—wiping out the civilian population in hopes of winning.

But in his monomaniacal hubris, Putin has severely underestimated the Ukrainian people. Every time an innocent Ukrainian is killed, the resolve of the Ukrainian people grows stronger. And we stand with them.

We have all seen the images, heard the stories, and watched the videos of the reality of this awful war. Hundreds—maybe even thousands—of civilians have been killed, as I said, from the elderly all the way down to babies not even a month old. These atrocities deserve to be investigated for war crimes.

Entire cities with hundreds of thousands of people have been left with no water, no power, no connection to the outside world. Unable to overtake Ukraine in a quick strike, Russian forces seem to be openly targeting sites that have little military significance.

Today, I am proud to ask unanimous consent and ask all of my colleagues to support today's legislation condemning Putin's atrocities and supporting efforts to hold him accountable before the eyes of the entire world.

Madam President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 546, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk clerk read as follows:

A resolution (S. Res. 546) expressing the sense of the Senate condemning the Russian Federation, President Vladimir Putin, members of the Russian Security Council, the Russian Armed Forces, and Russian military commanders for committing atrocities, including alleged war crimes, against the people of Ukraine and others.

There being no objection, the Senate proceeded to consider the resolution.

Mr. SCHUMER. I know of no further debate on the resolution.



The PRESIDING OFFICER. Is there further debate?

Hearing none, the question is on adoption of the resolution.

The resolution (S. Res. 546) was agreed to.

Mr. SCHUMER. I ask unanimous consent that the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

Mr. SCHUMER. Madam President, I have several more wrap-ups.

Would the Senator from Mississippi indulge me?

Mr. WICKER. Absolutely.

Mr. SCHUMER. Madam President, I thank the Senator once again. He is always courteous. Even when we disagree, he is very courteous.

Mr. WICKER. Which is often.

Mr. SCHUMER. Which—I hasten to add for his sake—is often.

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

Mr. SCHUMER. Madam President, I ask unanimous consent that the Senate proceed to executive session to consider the following nominations en bloc: Calendar Nos. 420, 421, 423, 425, 730, 472, and 784; that the Senate vote on the nominations en bloc without intervening action or debate; that the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that any statements related to the nominations be printed in the RECORD; that the President be immediately notified of the Senate's actions, and the Senate resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is, Will the Senate advise and consent to the following nominations en bloc: Kinan Azmeh, of New York, to be a Member of the National Council on the Arts for a term expiring September 3, 2024; Constance Hess Williams, of Pennsylvania, to be a Member of the National Council on the Arts for a term expiring September 3, 2026; Christopher Kauai Morgan, of Maryland, to be a Member of the National Council on the Arts for a term expiring September 3, 2024; Jake Shimabukuro, of Hawaii, to be a Member of the National Council on the Arts for a term expiring September 3, 2024; Kathryn Kahrs Mathew, of South Carolina, to be a Member of the National Council on the Humanities for a term expiring January 26, 2026; Rachel Jacobson, of the District of Columbia, to be an Assistant Secretary of the Army; and Beth Van Schaack, of California, to be Ambassador at Large for Global Criminal Justice?

The nominations were confirmed en bloc.

#### LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

#### APPOINTMENTS

The PRESIDING OFFICER. The Chair, on behalf of the Ranking Member of the Senate Committee on Armed Services, pursuant to the provisions of Public Law 117-81, appoints the following individuals to serve as members of the Congressional Commission on the Strategic Posture of the United States: The Honorable Jon Kyl of Arizona and The Honorable Lisa Gordon-Hagerty of Florida.

#### ORDER OF BUSINESS

Mr. SCHUMER. Madam President, I ask unanimous consent that notwithstanding rule XXII, tomorrow, March 16, at 11:45 a.m., the Senate vote on the motion to invoke cloture on Executive Calendar No. 656, the nomination of Jacqueline Corley, and on the motion to invoke cloture on Executive Calendar No. 738, the nomination of Fred Slaughter; further, at 3 p.m., the Senate vote on the motion to invoke cloture on Calendar No. 682, the nomination of Ruth Montenegro, and the motion to invoke cloture on Calendar No. 678, the nomination of Victoria Calvert; that if cloture is invoked on any of these nominations, the Senate vote on confirmation at a time to be determined by the majority leader or designee following consultation with the Republican leader; finally, that the remaining cloture motions ripen at a time to be determined by the majority leader or designee following consultation with the Republican leader.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### ORDERS FOR WEDNESDAY, MARCH 16, 2022

Mr. SCHUMER. Finally, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10:30 a.m. on Wednesday, March 16; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; that upon the conclusion of morning business, the Senate proceed to executive session and resume consideration of the Corley nomination; finally, that if any nominations are confirmed during Wednesday's session, the motions to reconsider be considered made and laid upon the table and President be immediately notified of the Senate's actions.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCHUMER. For the information of Senators, the first rollcall votes of the day will begin at 11:45 a.m.

#### ORDER FOR ADJOURNMENT

Mr. SCHUMER. Madam President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order, following the remarks of Senators PORTMAN, WICKER, and BLUMENTHAL.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCHUMER. I yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi.

#### UKRAINE

Mr. WICKER. Madam President, I thank the distinguished majority leader for working with the distinguished minority leader and with Senator GRAHAM for bringing this important legislation to the floor tonight.

It says what many of us have been saying for a long time and which I wish the President of the United States, our Commander in Chief, would explicitly say tonight or tomorrow: that Vladimir Putin is a serial war criminal and that he should be investigated by the war crimes authorities internationally, brought to justice, and made to pay not only for his genocide and war crimes of the last 2½ weeks but also for Aleppo and Grozny and the tens of thousands—tens of thousands—of innocent civilians that he has killed by his desires out of some other century to conquer his neighbors.

I was mentioning 1938 and 1939. When Hitler went into the Sudetenland, he told naive Western governments: That will be the end of it. If we get that, we will have peace in our time.

And some leaders of the allies were convinced that that was true.

Vladimir Putin hasn't even said he is going to stop with Ukraine. So who in the world thinks that if he gets away with this, he will stop there? I don't believe he will, and here is why: Not only Aleppo, not only Grozny, but this is a man who, without question, poisons his political opponents. When they leave the country to get medical treatment, he causes them to be charged for breaking the terms of their parole and puts them in prison. That is his political opponent, Mr. Navalny, who had the temerity to be a candidate for President against Mr. Putin.

We are talking about the Vladimir Putin who authorizes the assassination of former members of the Russian Government because they have the temerity to oppose him. We are talking about the very same person in Vladimir Putin who jails persons for years and years who dare to oppose him or disagree with him publicly, who invents enormous lies and gets some people even in the West to believe it when he broadcasts the enormous lies through his monopoly of the media.

This man can be stopped in this Ukrainian war, and we are going to hear tomorrow morning from a courageous leader who has risen beyond the expectations of so many people in the free world, President Zelenskyy, and I intend to be there along with my colleagues wishing him the best.

I think I can say for our delegation that we might have nuances on how these things can be done, but we are united on ideas, like getting the Polish MiGs somehow into the hands of the Ukrainian fighter pilots who can then use them to win the war, the equipment from other NATO countries and European countries enhancing Ukraine's air defense, and sending more troops to harden the borders and the eastern flank of our NATO Allies.

I would say to the President of the United States: Mr. Biden, you have been too risk averse, too late from time to time, from step to step on all of the sanctions that we have needed, on the delivery of weapons.

We brought the administration along, but they have been a day late or a couple of days late or a week late. It is time for us to show international leadership on this. Even today, almost 3 weeks into the war, we have not yet dropped the full load of sanctions on Russia. We need to do that, and I call on the President and the administration to listen to those of us who were just in Eastern Europe.

History shows that weakness breeds war, instead of pacifying tyrants, weakness emboldens tyrants like Vladimir Putin. The good news is that with the help of NATO and Western arms, the Ukrainian military has defied all expectations. The intelligence reports that we have heard on the public media—this is nothing secret—was that in 3 or 4 days the Ukrainian military would be overrun by this vast Russian military behemoth.

That has not happened, in fact. These people, defending their homeland, defending their country, through the leadership of President Volodymyr Zelenskyy, have shown courage. They refuse to flee, and they have rallied the American people and the entire world in a lesson of leadership.

If President Zelenskyy survives until the morning, I will be cheering him from Capitol Hill on his remarks, just as the British Parliament did last week. This war is far from over. Suffering and dying refugees will continue every day, and I call on President Biden to recognize that Vladimir Putin is not simply at war with Ukraine, but they are at war with the entire free world, and this is our best opportunity to stop him. Our Baltic allies in NATO understand this. They know they can be next on Putin's kill list.

Now is our moment to make sure this is the last time that Putin and his band of war criminals invade a sovereign country. We watched it happen with the Transnistria. We watched it happen with the Republic of Georgia, in South Ossetia, and in Abkhazia. We watched

it happen with the Donbas and with Crimea.

It is time to stop Vladimir Putin's expansionism. We should be enabling the Ukrainians to defend their own airspace, and we have not yet done all we can do. We need to be creative, but we need to take calculated risks because the future of the rules-based world order is at stake.

Western deterrence has so far failed, and now Putin is thinking he can succeed in shredding the rule book of the post-Cold War international order. It is up to us, and it is up to our Commander In Chief to restore faith in that order and to protect the free world.

And I am glad to be joined on the floor with my friend the distinguished senior Senator from Connecticut and was honored to join him and our other colleagues on the trip this last weekend to Eastern Europe.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Madam President, I want to thank my really distinguished and able colleague and friend from Ohio, Senator PORTMAN, and Senator WICKER, and also Senator KLOBUCHAR, who accompanied us on this trip and enabled us to be so much more effective because of her very perceptive and insightful wisdom on these topics and her experience with the issues that we confronted, and a special thanks to Senator PORTMAN for so ably organizing us and also to enable us to meet with senior members of the Polish Government, our own Ambassador, Mark Brzezinski, who is doing such a great job there, along with his team at the embassy, the brave men and women of the 82nd Airborne Division and, heartbreakingly, the women and children who are fleeing Ukraine with nothing more than what they could carry on their backs.

I want to thank, as well, Senator SCHUMER for bringing to the floor this resolution, and Senator GRAHAM for his leadership. This resolution is a very powerful and compelling message to the world that the United States will stand strongly with the people of Ukraine against this brutal, insidious invasion by Vladimir Putin and Russia.

And, tomorrow, we will hear from President Zelenskyy, whose passionate and powerful plea for action will no doubt elicit more words of support. But we need more than words now. We need more than declarations of support. We need action—action that will make a difference on the battlefield. And let me just say very bluntly and simply: The Ukrainian resistance has proved to be more courageous, resilient, tough, and effective than Vladimir Putin ever imagined.

It has become the wonder and admiration of the world. It is not only their trained army, it is the men and women who took to the streets and the fields using weapons that we have supplied—the Stinger and Javelin missiles—to hit Russia's most advanced weapons system, their aircraft, as well as their tanks, and take them out.

If the Ukrainian people have a fair fight on the ground, they will win. They will drive Russia out of their precious land. But right now there is no fair fight. Right now, in the skies, Putin dominates. He has the aircraft, the missiles, to do insidious damage and to wound, damage, and destroy the Ukrainian ground forces.

And he was using that air superiority with consummate recklessness while we were in Poland. Just hours before we visited the border crossing at Korczowa, 30 of his missiles rained down on a training center in Yavoriv, 12 miles away. Let me repeat: 12 miles away from that border crossing. The Polish authorities there told us the ground shook with the tremor of those bombs hitting a training center just 12 miles from the Polish border.

Vladimir Putin was literally playing with fire. One of those missiles going astray into Poland could have triggered dramatic escalation, nuclear confrontation, and destruction of unknown magnitude.

Vladimir Putin is recklessly taking this fight westward in Ukraine, to the very border, the very doorstep of a NATO ally that we have an obligation to defend. And part of our trip was to visit with the 82nd Airborne—so impressive, these young men and women, in their intelligence, as well as their dedication and bravery. They are holding the line. More and more of them are there. And they are also enabling support for Ukraine in the kind of arms—Stingers and Javelins—that are needed.

But we must do more than what we are doing now. And in that respect, I join my colleagues. We have a common message. I personally appreciate what the administration has done in its providing support—those Javelin and Stinger missiles, the ammunition, night goggles, drone spare parts and more—but we must do more to counter that air superiority, the dominance in Putin's missiles and jet fighters.

I personally believe that we should provide more aircraft, the jet fighters that President Zelenskyy has desperately requested. But I also think there are tools that we can provide: anti-air batteries to bring down the planes and the missiles, defense mechanisms that Vladimir Putin cannot call escalatory under any possible definition, and, likewise, means of defense that the people of Ukraine desperately need and deserve to successfully defend.

There is no way any of these weapon systems are offensive. They are defensive, whether it is planes, Stinger and Javelin missiles, drones—all of it is to defend their country and do it effectively and have a fair fight on the ground against Putin's air dominance.

We saw, heartrendingly, women and children coming from that bombing in Yavoriv at the border crossing. Literally, we visited with them, spoke with them, saw and heard the grief and misery, the tragedy and trauma that they are enduring.

Almost all were women and children because the men have stayed to fight, and they brought with them bags of clothing, their pets, stuffed animals—all they could carry but no more—facing a future of total uncertainty, not knowing when, if at all, they would return, and when, if at all, they would see their husbands, brothers, sons who were left to fight.

We must make sure that Ukraine stays in that fight, and we can do it if we raise our commitment.

I appreciate what the administration has done in its skillful use of public intelligence, its uniting of our allies, its adroit rallying of America, but now is the time to do more, and it must be done urgently. The time is now. Days, weeks—not on our side. Time works against us the longer we allow Putin to command the skies in the way that he does now, the longer innocent people will be slaughtered in their homes, in hospital, in maternity wards, and the longer the world will be put at risk of another attack on a nuclear facility that could spread radioactive contamination throughout the country and even through Europe.

The trauma and terror on the faces of those women and children, the tears that we saw, will stay with me forever. I was reminded of my own family, my dad who came to this country in 1935 to escape the Holocaust. He, too, came with not much more than the shirt on his back. He spoke virtually no English. He knew no one. He brought his entire family—his immediate family, but he lost much of his other family.

America has always been a nation of immigrants and refugees, and we have always spread our generosity to them, and now, likewise, in Connecticut we see the Ukrainian-American community providing clothing and blankets, donations, along with the Polish-American community. Indeed, throughout the State of Connecticut and throughout the country, America's hearts are going out to these refugees in this humanitarian crisis. That is what we do in America.

That is what we saw, in fact, Americans and others doing at the World Central Kitchen in the reception area that we visited. My colleagues and I served chicken, vegetables, rice, potatoes for a couple more hours to these refugees, and we had, I think, a tremendously uplifting experience.

I mention it because, as Senator PORTMAN has said so eloquently, even in the midst of this evil, we saw good in that team at the World Central Kitchen; in the 82nd Airborne; our men and women in uniform; and the Embassy staff who were willing to risk their lives in Kyiv and stay in Lviv and finally move from Lviv to Warsaw; our Foreign Service; our men and women in uniform; and of course the people of Poland who have welcomed these refugees, literally welcomed them into their homes, 2 million of them, 10 percent or more of the population of War-

saw alone—an effort of unprecedented magnitude in recent history.

And as we returned home, so grateful for the good in those people, it was brought on me again to realize that this invasion was a war of choice. That evil in Moscow is one man.

I still believe the Russian people, if they knew what was going on in Ukraine, would throw him out. That is not to say that he should be assassinated or that he should be attacked.

I believe that if there were a democratic process with full and fair information in Russia, there is no way that Vladimir Putin would survive a democracy.

And so I think we must continue to tighten the economic sanctions to bring that pain home to the Russians to make them feel the hurt they have inflicted on others and to know that they have a responsibility to end this conflict.

They must do more, as we must do more, and our action must tighten and broaden economic sanctions to stop Vladimir Putin from continuing to reap the revenue of sales of oil and gas.

I commend the administration for stopping importation of Russian oil and gas to this country, but other Western countries continue to do it and other countries around the world, and therefore I am partnering in a measure with Senator BLACKBURN of Tennessee, urging the President to work with our allies to halt Russia's ability to sell its oil and gas on Western markets, to stop the connection of all Russian banks to the SWIFT financial system, which is the means for him to reap that revenue.

If he is cut off from it, his ability to sell that oil and gas and reap the revenue and finance, his war machine is broken.

And a bill—a second measure—introduced today with Senators WHITEHOUSE, GRAHAM, and my colleague from Mississippi Senator WICKER, provides the President with authority to seize and sell all of the superyachts, the jets, mansions, and luxury possessions of Putin's criminal kleptocracy as well as his cronies, his family, and others. These ill-begotten gains will be used to support Ukrainian freedom fighters, rebuild Ukraine, and provide humanitarian assistance to those refugees we saw escaping.

I have no illusions that Putin can be forced right away to the negotiating table, but these measures will eventually force him to respond.

We must give the people of Ukraine a fair fight. We must act immediately to provide them with the support they need to stop Putin's war in the air. Much as Winston Churchill rallied Britain in the Battle of Britain to survive and resolve at the beginning of World War II in the Battle of Britain to resist Hitler's onslaught from the air, so, too, the people of Ukraine are fighting their battle, and we must respond with action. Our security is at peril. Our defense is at risk. The economic

implications are perilous, and the world order is threatened.

This time is a turning point, and we must enable Ukraine to chart its own course to remain as a free and sovereign nation and to have a fair fight.

I yield the floor, and I yield back to my colleague from Mississippi.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. WICKER. The Senator from Connecticut is correct to commend the massive efforts to prevent the humanitarian suffering in Ukraine and in Poland.

The dozens of nongovernmental organizations, such as the World Food Kitchen, the USAID Agency, a part of our Federal Government, the World Food Programme, the diplomatic corps, both of the United States and our allies, and certainly our American military, the 82nd Airborne.

But let me conclude by making this profoundly important point: What we have heard tonight on both sides of the aisle are bipartisan calls for us to do more.

In this system that we have under our Constitution, we have one Commander in Chief at a time, and we have heard from Democrats and Republicans tonight on the floor of the U.S. Senate that we need to do more. This administration needs to do more. This Commander in Chief can do more and needs to do more to help this small country preserve their freedom, to win against this war criminal and his unprovoked aggression, and to preserve the international order that has governed civilized nations for decades and decades.

I hope the administration is hearing the bipartisan message that we bring back from our observations and that we are hearing from our constituents.

I yield back to my dear friend from Ohio.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. Madam President, first I want to say that I appreciate my colleagues being on the floor tonight and their really moving statements about the crisis in Ukraine and the atrocities that are being committed there.

And I think what you did tonight is you added a lot of texture and perspective to the resolution that just passed this body by a unanimous vote. Nobody objected. We are now on record here in this body with a strong statement of support for Ukraine and strong opposition to the atrocities being committed and our commitment to do more.

So, again, I appreciated being with you in Poland, and I appreciated your coming to the floor tonight.

I am going to pick up where I had left off and talk a little more about what we can do because that is the real question that faces us here in the U.S. Senate.

We talked a lot about military assistance tonight, and we, again, I think, had a consensus among us as to what we need to do to help the Ukrainians

protect themselves, particularly from the aerial assault that they are under.

I know we also have another colleague who couldn't be here on the floor because of scheduling concerns, as I said earlier, Senator KLOBUCHAR, but she will be making a statement for the record that will go along with our statements tonight. I look forward to seeing that.

The four of us got in at about midnight last night, and we come back with a heavy heart but also lots of advice for our government as to how we can do more.

On the humanitarian side, the United States has got a key role to play as well, not just on military assistance but on ensuring that people who are fleeing this conflict and people internally displaced have the help they need.

We support our European partners who have opened their homes, as I said earlier, and their borders to Ukrainian refugees. In fact, they have provided a 3-year visa, in essence, to Ukrainians in the European Union and permission to work, and this is, I think, a strong signal of the special relationship that the countries of the EU feel toward Ukraine, which I hope someday will be a member of the European Union, as do they.

Congress just passed some immediate help for Ukraine. It was in legislation called the Omnibus appropriations bill a few days ago. That will help AID here in the United States and other organizations around the world be able to help with these refugees and help those Ukrainians who are trapped in cities under siege. To me this is the No. 1 priority right now.

Cities like Mariupol—you probably read that people have been without food and water for days—for days. There was a child—a girl, apparently—who died of dehydration recently, and others are going to be finding themselves in an impossible situation, not knowing where their next meal may come from. So we need to help them, particularly in these cities in the east and the south of the country that are under such terrible siege and being surrounded.

This is an unprecedented humanitarian disaster, and it is being caused by Vladimir Putin's attack on Ukraine—Vladimir Putin's war and Russia's war. The actions that they have undertaken have created the largest movement of refugees in Europe since World War II. That is already. By the way, I favor seizing, rather than freezing, the assets of Kremlin officials and oligarchs and then providing those proceeds to the refugees. Doesn't that make sense?

So when a billionaire has his assets frozen, it is one thing; but when they are seized, as some countries have done—France, Germany—the United States needs to step up and do that as well. We should be leading on this, not following. That is another thing that we can do to help get proceeds to help with the humanitarian efforts.

But I also have a message tonight to those Russian officials and to the Russian commanders on the ground, which is that you have a choice to make. You can stop this atrocity. You can refuse the orders to kill innocent civilians. You can stop this atrocity that has already taken the lives of thousands of civilians—men, women and children, your neighbors—your neighbors—some with family connections to Russia, who want nothing more than just to live in peace. You can stop this atrocity. Disobey the orders. The world is watching, and the war crimes are being recorded. You have a choice.

On sanctions: We talked a little bit about this earlier tonight, but we need more and faster sanctions. We need to remove all Russian banks from their access to the global financial system. Russia must be financially cut off from the rest of the world, or it won't work. We have already seen the pain that we can inflict using a portion of our sanction authority. We need to do more.

We need to exert maximum pressure to ensure no money can be sent to Russia to fund the war effort. This is one reason it was so important that we finally stopped the importation of Russian oil and gas. Why would we want to send \$40- or \$50 million a day, which we were sending to Russia to be used for the war machine.

But we can implement full blocking sanctions on all Russian banks, and we can ensure that energy transactions are not exempt from these sanctions. That is very important, because right now there are some exemptions for energy.

Russia should not use its oil profits to kill innocent Ukrainians. That should be our principle. We should not allow money to flow down like water in cracks in the pavement. We should pass legislation to ensure that these funds stop—and not by June 24, which is in the sanctions that the administration has put forward, but now—blocking sanctions now, not for the energy sector transactions on June 24. That is too long.

I think we should move ahead with legislation to cut off most-favored-nation treatment. This is the permanent trade relationship with Russia we granted back in 2012, bringing them into the World Trade Organization. Access to the U.S. market is a privilege, not a right. And we should not only ensure that we are not giving Russia that privilege of access to our markets—lower tariffs of all kinds of products, including oil and gas—but also that other countries of the world follow suit. That way it would be much more effective.

But I would like to go beyond most-favored-nation treatment tonight and suggest that we also suspend our tax treaty with Russia. Why would we want to have a tax treaty that provides tax benefits to Russian businesses? Again, our principle there could be no tax breaks for invaders. That would make more sense.

We also need to sanction the Russian energy sector with currency and blocking sanctions, as I said, right now—not June 24. I know this is more difficult on the Europeans who are more dependent on Russia for energy, but there are many steps the United States can take to help expand energy production here at home and help our allies abroad.

I met with someone today who is trying to set up LNG terminals in places like Germany and also Ireland and other countries to bring liquefied natural gas to Europe. We have plenty of natural gas in this country. We are blessed with it. We should use it to help our allies.

Finally, I would like to advocate for a similar approach to how we designated Iranian entities in 2018, when we left the JCPOA. We did not issue sanctions or waivers to European companies that continued to do business with Iran's economy. We forced those companies to leave Iran's market, even at the displeasure of some of those governments. The bottom line: It can't be business as usual.

There is a popular Ukrainian national rallying cry, "Slava Ukraini!" When translated into English, it means "Glory to Ukraine." "Slava Ukraini."

There is a response to that rallying cry, which is "Glory to the Heroes." "Heroiam Slava." So "Slava Ukraini" and in response, "Heroiam Slava."

And even in these dark times, there are many heroes. While we heard firsthand about the worst of humanity represented by the brutal bombings of civilian targets, we also saw the best of humanity at work. And we saw acts of kindness and generosity: Polish border guards helping carry suitcases of mothers who were overwhelmed as they carried young children in their arms, fleeing from the only home they have ever known; volunteers at the reception center where they provided healthcare and lodging and served thousands of meals a day to frightened and bewildered families who were waiting to move on to homes that generous Poles, Germans, and others in the EU had opened up for them.

In the midst of this atrocity, there are so many heroes to glorify in Ukraine. Yes, glory to the heroes: the brave border guards on Snake Island; the grandmother bravely walking up to Russian soldiers and handing them sunflower seeds, saying: If you don't leave, this is so that something beautiful will grow on your grave; the courageous President of Ukraine who when asked by western countries if they could help him escape, responded simply: "I need ammunition, not a ride."

"I need ammunition, not a ride."

President Zelenskyy's bravery and resilience has been an inspiration to Ukrainians and freedom-loving people everywhere. Tomorrow, he will be here virtually in a joint session of Congress to talk to all of us, and I look forward to it.

Glory to the everyday heroes who are caring for the wounded, feeding desperate families huddling in basements and subway stations, glory to the professional soldiers and citizens alike who have taken up arms and are putting their lives on the line to defend their beloved homeland in the cause of freedom, against great odds. Glory to the heroes. Heroiam Slava. Godspeed to them in their battle for a free and independent Ukraine.

Some may ask—and some of my colleagues here have asked me: Why does a Senator from Ohio get involved in Ukraine? Why do you care? Well, tens of thousands of Ukrainian Americans call Ohio home, as do hundreds of thousands of others who trace their family to that part of the world; and it is an honor to represent them and their values.

I stood together with a thousand fellow Ohioans at a prayer service and rallied for Ukraine 2 weeks ago in Parma, OH, just outside of Cleveland. We prayed for family and friends in Ukraine who are in harm's way. We prayed for the courageous Ukrainian troops and asked for God's wisdom and blessing on the duly elected Government of Ukraine and, of course, for the protection of President Zelenskyy.

Ohioans like Andy Futey and Marta Liscynsky are rallying support across our State and coordinating efforts to provide humanitarian relief to those in need in Ukraine and in neighboring European countries. They are heading up through the United Ukrainian Organizations of Ohio a fund called the Fund to Aid Ukraine. I contributed to it. They do great work.

Two weeks ago, Sunday, I was honored to speak at an emotional rally in Washington, DC, much like the one in Parma, OH, only larger. Again, many Ohioans were there. And this past weekend on the border between Ukraine and Poland, Ohioans were there volunteering.

But even if I didn't have a single constituent of Ukrainian descent, I would be standing shoulder to shoulder with the people of Ukraine because this fight is our fight. This is where, in our generation at this time, all freedom-loving people are called to defend what we hold dear.

Eight years ago, Ukrainians made a choice. They stood up to a corrupt Russian-backed government. They stood up for freedom, for free markets, for peace and prosperity, and for the rule of law. They looked to America, and they looked to the EU. They chose freedom over tyranny. They chose a democracy over an authoritarian regime. I was there in 2014, right after the Heavenly Hundred who stood up to the corrupt Russian-backed government were killed in what was called the Euromaidan or the Revolution of Dignity. I saw firsthand then the commitment the people of Ukraine had to freedom and independence, to charting their own course.

Right now, those friends in Ukraine need our help. We cannot let this call

to action go unanswered. We cannot sit by and watch as innocent civilians are brutally killed.

America and our allies must stand up for freedom, and the world is watching. Our friends are watching. Our adversaries are watching. We must show them that America stands with Ukraine.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Madam President, I want to add one more quotation to the very stirring and powerful words that my colleague from Ohio has just given us.

Decades ago, President John F. Kennedy went to Berlin, and in a statement of resolve and commitment that mobilized the world, he said then, "I am a Berliner." And he spoke for America.

Today, we are all Ukrainians. Just as he said that he, as an American, was a Berliner, today, we are Ukrainian.

My colleague from Ohio is absolutely right that this fight is ours and there are actions we can take—not just words—that will make a difference: actions that should not and will not involve American troops or an escalatory response, actions that will be in the best tradition of the United States, going back to our own Revolution when we overcame a more massive British force. We didn't need to defeat them; we simply needed to survive. And by surviving, George Washington understood that the British would be defeated.

And so we can enable resilience and resolve of the Ukrainian people to defeat the Russians, if we give them what we need, if we give them more of what we have been giving them. And today, truly, this bell tolls for us; and it is the world's fight, not just the Ukrainians'.

I thank my friend and fellow Senator from Ohio for leading us on this trip, and I hope that our colleagues, a few of them may have heard us tonight at this hour—but I hope they will come to the floor and that we will continue this conversation because it is a debate that really unites all of us across the aisle, as did the resolution which passed overwhelmingly.

I yield the floor.

ADJOURNMENT UNTIL 10:30 A.M.  
TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 10:30 tomorrow morning.

Thereupon, the Senate, at 7:54 p.m., adjourned until Wednesday, March 16, 2022, at 10:30 a.m.

## NOMINATIONS

Executive nominations received by the Senate:

### DEPARTMENT OF DEFENSE

RHEANNE WIRKALA, OF MARYLAND, TO BE AN ASSISTANT SECRETARY OF DEFENSE, VICE ROBERT R. HOOD, RESIGNED.

BRENDAN OWENS, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF DEFENSE, VICE LUCIAN NIEMEYER.

### DEPARTMENT OF COMMERCE

SUSIE FELIZ, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF COMMERCE, VICE MICHAEL PLATT, JR., RESIGNED.

### FEDERAL MARITIME COMMISSION

REBECCA F. DYE, OF NORTH CAROLINA, TO BE A FEDERAL MARITIME COMMISSIONER FOR A TERM EXPIRING JUNE 30, 2025. (REAPPOINTMENT)

### DEPARTMENT OF THE INTERIOR

CARMEN G. CANTOR, OF PUERTO RICO, TO BE AN ASSISTANT SECRETARY OF THE INTERIOR, VICE DOUGLAS W. DOMENECH.

### UNITED STATES ADVISORY COMMISSION ON PUBLIC DIPLOMACY

JANET KELLER, OF CALIFORNIA, TO BE A MEMBER OF THE UNITED STATES ADVISORY COMMISSION ON PUBLIC DIPLOMACY FOR A TERM EXPIRING JULY 1, 2023, VICE ELIZABETH F. BAGLEY, TERM EXPIRED.

### DEPARTMENT OF STATE

SHEFALI RAZDAN DUGGAL, OF CALIFORNIA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE KINGDOM OF THE NETHERLANDS.

### IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

*To be brigadier general*

COL. STEPHEN R. SMITH

### IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

*To be rear admiral*

REAR ADM. (LH) JACQUELYN MCCLELLAND

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

*To be rear admiral*

REAR ADM. (LH) ERIC C. RUTTENBERG

REAR ADM. (LH) THOMAS S. WALL

REAR ADM. (LH) LARRY D. WATKINS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

*To be rear admiral*

REAR ADM. (LH) MICHAEL J. STEFFEN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

*To be rear admiral (lower half)*

CAPT. CHARLES KIROL

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

*To be rear admiral (lower half)*

CAPT. MARK R. MYERS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

*To be rear admiral (lower half)*

CAPT. DAVID M. BUZZETTI

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

*To be rear admiral (lower half)*

CAPT. DAVID G. MALONE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

*To be rear admiral (lower half)*

CAPT. CHARLES M. BROWN

CAPT. INGRID M. RADER

CAPT. MICHAEL TANNER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

*To be rear admiral (lower half)*

CAPT. ROBERT J. DODSON

CAPT. MICHAEL S. RICHMAN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

*To be rear admiral (lower half)*

CAPT. LUKE A. FROST

CAPT. MARK B. SUCATO

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

*To be rear admiral (lower half)*

CAPT. DAVID J. FAEHNLE  
CAPT. CALVIN M. FOSTER  
CAPT. JOAQUIN MARTINEZDEPINILLOS  
CAPT. JOHN D. SACCOMANDO  
CAPT. ANDREW J. SCHREINER  
CAPT. KIMBERLY A. WALZ

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT  
IN THE NAVY RESERVE TO THE GRADE INDICATED  
UNDER TITLE 10, U.S.C., SECTION 12203:

*To be rear admiral (lower half)*

CAPT. DAVID H. DUTTLINGER

CONFIRMATIONS

Executive nominations confirmed by  
the Senate March 15, 2022:

NATIONAL FOUNDATION ON THE ARTS AND THE  
HUMANITIES

KINAN AZMEH, OF NEW YORK, TO BE A MEMBER OF THE  
NATIONAL COUNCIL ON THE ARTS FOR A TERM EXPIRING  
SEPTEMBER 3, 2024.

CONSTANCE HESS WILLIAMS, OF PENNSYLVANIA, TO  
BE A MEMBER OF THE NATIONAL COUNCIL ON THE ARTS  
FOR A TERM EXPIRING SEPTEMBER 3, 2026.

CHRISTOPHER KAUI MORGAN, OF MARYLAND, TO BE A  
MEMBER OF THE NATIONAL COUNCIL ON THE ARTS FOR  
A TERM EXPIRING SEPTEMBER 3, 2024.

JAKE SHIMABUKURO, OF HAWAII, TO BE A MEMBER OF  
THE NATIONAL COUNCIL ON THE ARTS FOR A TERM EX-  
PIRING SEPTEMBER 3, 2024.

DEPARTMENT OF DEFENSE

RACHEL JACOBSON, OF THE DISTRICT OF COLUMBIA,  
TO BE AN ASSISTANT SECRETARY OF THE ARMY.

EXECUTIVE OFFICE OF THE PRESIDENT

SHALANDA D. YOUNG, OF LOUISIANA, TO BE DIRECTOR  
OF THE OFFICE OF MANAGEMENT AND BUDGET.

NATIONAL FOUNDATION ON THE ARTS AND THE  
HUMANITIES

KATHRYN KAHRS MATTHEW, OF SOUTH CAROLINA, TO  
BE A MEMBER OF THE NATIONAL COUNCIL ON THE HU-  
MANITIES FOR A TERM EXPIRING JANUARY 26, 2026.

DEPARTMENT OF STATE

BETH VAN SCHAACK, OF CALIFORNIA, TO BE AMBAS-  
SADOR AT LARGE FOR GLOBAL CRIMINAL JUSTICE.