

It is interesting that that was a bipartisan position which I joined over the weekend—many of us did—Democrats and Republicans all saying: Enough with the Russian oil. We will find other ways to keep America's economy and cars and trucks moving without being dependent on Vladimir Putin or subsidizing his war effort.

It was bipartisan—strong statements. In fact, there were as many statements in support of this from the other side of the aisle as this side of the aisle. Then what happened? Well, Dana Milbank, in this morning's Washington Post, tells the story of what happened.

After President Biden made his announcement Tuesday, he said, accurately:

"Since Putin began his military buildup on Ukrainian borders, just since then, [it is 2 weeks] the price of gas at the pump in America went up 75 cents. And with this action [the Americans will stop buying Russian oil] it's going to go up further." [President Biden] dubbed it "Putin's price hike" and said "Russia is responsible."

Since this was a bipartisan idea—stopping the flow of Russian oil into the United States and subsidizing Putin's invasion of Ukraine—you would think there would be bipartisan applause. The exact opposite occurred.

In a Dana Milbank article, which I will ask to be part of the RECORD, here is what was said by House Republican Leader KEVIN MCCARTHY:

"These aren't Putin prices. They're President Biden's prices" . . . "Gas prices started rising the day President Biden took office—when he canceled the Keystone Pipeline and halted new drilling on federal lands."

It turns out that these assertions, by not just KEVIN MCCARTHY but other Republican leaders, are just not accurate. Nobody goes to the task and assignment of actually backing up some of these facts like real history and real numbers.

Here is what he says: Gas prices started rising on the day that Biden took office.

Wrong.

They have been on an upward trend since bottoming out in April 2020, at the start of the coronavirus pandemic. This is because of booming demand during the recovery. So this notion that these are Biden gas prices that just started going up magically after he was sworn—not true.

Then I love this one on the Keystone XL Pipeline. How many times have you heard on the floor of the Senate—maybe even this morning—that canceling the Keystone Pipeline is the reason that gasoline prices have gone up?

It turns out, according to Dana Milbank, that pipeline was only 10 percent completed when Biden canceled it. Its owners didn't even expect to open it until next year, 2023, at the earliest.

Well, how about this one? You hear this over and over again from so many Republicans: Biden halted new drilling on Federal lands, they say. According to Milbank:

Wrong. After a temporary halt in new leases, Biden has outpaced Trump in new drilling permits for public lands.

That has been reported by the Washington Post.

And as for Biden's shutdown of American energy, listen to this:

U.S. production has increased under Biden from 9.7 million barrels a day to 11.6 million barrels. The number of oil rigs operating was 172 in July of 2020. . . . Now, 519 are in operation. U.S. production is forecast to set a record next year.

Now, I don't doubt that stopping the Russian export of oil into the United States is going to have a negative impact on gasoline prices. It stands to reason. But there is an adjustment being made. The President spoke to it last night, at a meeting we attended, where he is working on other sources for America to make this hardship as little as possible.

I ask unanimous consent that the Milbank article be printed in the RECORD.

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

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington Post]

BIDEN HEEDED REPUBLICANS' PLEAS TO BAN  
RUSSIAN OIL. THEN THEY POUNCED  
(By Dana Milbank)

A cynic is rarely disappointed by this Republican Party. Yet even by that standard, the current attempt to blame President Biden—and absolve Vladimir Putin—for the spike in gas prices is a special case.

For days, Republicans called for a ban on imports of Russian oil, a move that, while the right thing to do to counter Putin's attack against Ukraine, would cause already high gas prices to rise even further. Biden did as Republicans wanted—and they responded by blaming his energy policies for spiking gas prices.

It's not only that the charge is bogus—the current price of gas has virtually nothing to do with Biden's energy policies—but that the Republican officials leveling it are sowing division at home and giving a rhetorical boost to the enemy at a perilous moment when national unity and sacrifice will be needed to prevail against Russia.

Announcing the ban on Tuesday, Biden said, accurately: "Since Putin began his military buildup on Ukrainian borders, just since then, the price of the gas at the pump in America went up 75 cents. And with this action, it's going to go up further." He dubbed it "Putin's price hike" and said "Russia is responsible."

REPUBLICANS LEAPED TO PUTIN'S DEFENSE

"These aren't Putin prices. They're President Biden's prices," House GOP leader Kevin McCarthy said during a news conference on Wednesday. Via tweet, he claimed: "Gas prices started rising the day President Biden took office—when he canceled the Keystone Pipeline and halted new drilling on federal lands."

Rep. Elise Stefanik (N.Y.), head of the House Republican Conference, added: "Joe Biden blames Russia for skyrocketing gas prices. But make no mistake—Biden's war on American energy is to blame."

Scores of Republicans piled on. The GOP side of the House Energy and Commerce Committee tweeted: "Russia isn't 'responsible'. Biden's shutdown of American energy is."

That's just a gusher of mendacity.

Gas prices "started rising the day President Biden took office"? Wrong. They've

been on an upward trend since bottoming out in April 2020 at the start of the coronavirus pandemic. This is because of booming demand during the recovery—not because of Biden's policies (or President Donald Trump's, for that matter).

Canceling the Keystone XL pipeline caused gas prices to rise? Wrong. It was only 10 percent done when Biden canceled it, and its owners didn't expect to open it until 2023 at the earliest.

Biden "halted new drilling on federal lands"? Wrong. After a temporary halt in new leases, Biden has outpaced Trump in new drilling permits for public lands, The Post reported.

As for Biden's "shutdown of American energy," U.S. production has increased under Biden from 9.7 million barrels a day to 11.6 million barrels. The number of oil rigs operating was at 172 in July 2020, E&E News reports. Now, 519 are in operation. U.S. production is forecast to set a record next year.

What's holding back oil production isn't government policy. U.S. producers still have 4,400 wells already approved and drilled that are not yet producing. They aren't drilling more because of a shortage of workers and equipment and, particularly, investors' greed. As The Post reported, major U.S. oil companies say they would rather use their profits "to boost payouts to shareholders" than "rush to drill new wells."

Blaming Biden for the spike in prices around Russia's Ukraine invasion isn't just false—it's an assist to Putin that damages national security.

Polls show that Americans—Republicans and Democrats alike—favor banning Russian oil imports, even if that increases energy prices. Seventy-nine percent said so in a Wall Street Journal poll this week. Americans know the stakes, and they are willing to sacrifice.

But what happens if Republican lawmakers and their Fox News masters persuade their supporters to believe that Biden, not Putin, is to blame for their problems? Their willingness to sacrifice dissipates—and so does their support for the fight against Putin.

It's lucky this hasn't happened already. Fox News's Tucker Carlson, after parroting Kremlin talking points justifying its invasion of Ukraine, has pivoted to blaming the United States for provoking Putin. "Why in the world would the United States intentionally seek war with Russia?" he asked on Monday night.

Trump himself has praised Putin's acuity. Sen. Josh Hawley (R-Mo.) has called for the United States to appease Russia by abandoning its support for Ukrainian membership in NATO, and Rep. Marjorie Taylor Greene (R-Ga.), after proposing to impeach Biden for "threatening war" with Russia, now asks: "How is banning Russian oil (10 percent of our imports) helping reduce gas prices hurting Americans?"

Fighting Russian aggression while avoiding World War III is hard enough. With Republicans acting in bad faith, it's that much harder.

## GOVERNMENT FUNDING

Mr. DURBIN. Mr. President, finally, an omnibus spending bill. For months, there have been negotiations underway. The process has been drawn out. As a member of the Appropriations Committee, there was a lot of frustration. But soon we are going to vote on an omnibus spending package, and we are going to do much more than keep the lights on in our government.

In many ways, this spending package is a testament to the progress we have

made during the past year of the Democratic majority. We have historic funding to reduce the cost of living for working families. We get it; American families are having a tough time making ends meet and are living paycheck to paycheck. We take action in this omnibus spending bill to start to address that challenge, and we create good jobs here in America. Isn't it about time we focus on making things in America, putting people to work with good jobs that supply them? And we need to ensure families and children can access critical supplies, like nutritious food and clean water that they need to survive.

This bill also provides more than \$13 billion to the Ukrainians fighting tooth and nail to defend their freedom. The Democratic Senate caucus was fortunate last night to have over an hour and a half with the President where he spoke candidly and informally about the challenge we face in Ukraine. We have sent millions—maybe billions of dollars—in assistance to those who are resisting Vladimir Putin's barbaric attack on that nation, and we know that it is the right thing to do. There are displays of courage by the Ukrainians the likes of which we haven't seen in modern times. President Zelenskyy, particularly, has impressed not only the United States but the world with his singular courage.

The funds we are putting in this bill will help Ukrainians on the frontline to continue to hold back Vladimir Putin, and on the ground, in the air, through cyberspace, as well as helping our NATO allies in the region. NATO has never been stronger—30 different countries standing together, shoulder to shoulder, to stop Vladimir Putin's invasion.

The omnibus spending package, also, makes crucial investments in America at a time when we need it. It will fund research into the technologies and innovations. Innovation is an American phenomenon. Other countries do it, but I think we do it better. And whether we are curing a disease, creating a new industry, or combating the climate crisis, America needs to continue to lead the world in innovation. This spending bill does that.

At a moment of great peril and uncertainty in the world, we are coming together to defend our families, our security, our economy, and our future. But we need to move fast. We need to send this package to President Biden's desk quickly.

For the past 2 weeks, Russian mortars and missiles have been raining down on innocent people and children throughout Ukraine. More than 400 individuals have been killed, with some estimates in the thousands of deaths, believing that the current numbers are really an undercount.

Let me say one word while we are on the subject of Vladimir Putin and war crimes. What more evidence do you need than the bombing of a maternity hospital and the killing of mothers and

infants? This man, Putin, and his attack on the Ukrainian people, is not following any standards or rules of decent conduct in any way whatsoever. I think it is obvious.

Yesterday, the Russian airstrike that devastated the hospital complex in Mariupol is an indication that we will never forget. A video released shortly after the bombing showed a pregnant woman being carried away on a stretcher, surrounded by pulverized cars in flames and blackened trees covered in debris. It was a scene from a horror movie—a horror created by Vladimir Putin.

Ukraine needs humanitarian, military, and economic aid today. That is exactly what this omnibus bill will provide—billions of dollars in military equipment and intelligence support and even more billions in emergency supplies, food aid, healthcare, migration, and refugee assistance.

This is how America stands by our fellow defenders of democracy at their darkest hour, and Ukraine needs our help.

Here at home, the spending package includes a number of provisions that will strengthen America and the 330 million Americans who live here. We are bringing vital investments back to our home States. I support the return of congressionally directed funding, because Senators and Representatives know their States and know their districts better than any Federal Agency personnel in Washington.

I am pleased to report that my colleague, Senator TAMMY DUCKWORTH, and I worked to include \$210 million in funding for Illinois projects in this bill; and I will be ready to stand up and defend every single one of them piece by piece, project by project, as a good investment in the future of my State and our Nation.

This funding is going to help localities in Illinois launch important infrastructure, access to healthcare, environmental conservation, strengthening community violence prevention initiatives, supporting nonprofits doing important work through our State, and much more.

We also do something that I have worked on personally for the last several months and that I am particularly proud of; we are going to reauthorize the Violence Against Women Act, known as VAWA. For months, I have worked on this proposal with some amazing people in the U.S. States Senate. On my side of the aisle, Senator DIANNE FEINSTEIN really was one of the founders of this effort. On the Republican side of the aisle, two women Senators have just been amazing—LISA MURKOWSKI of Alaska and JONI ERNST of Iowa. We wouldn't have passed this bill and included it in this appropriations measure were it not for their good effort; and I thank them very much. They have helped to provide a lifeline to survivors of sexual and domestic violence.

With this year's spending package, Congress will finally reauthorize the Violence Against Women Act.

Additionally, the omnibus includes funding for a longstanding priority of mine: research. These investments in research are going to help keep America on the cutting edge of innovation when it comes to lifesaving medical treatment, therapies, and so much more. For example, this bill provides the National Institutes of Health with a significant funding increase—this time, a \$2.25 billion increase; that is more than 5 percent. Five percent, I have kind of established—and, I hope, with some of my colleagues—as the Holy Grail of increases each year in research, particularly at the NIH. And with the good help of Republican Senator—retiring Senator, unfortunately—ROY BLUNT of Missouri, we have managed to keep our promise. Lamar Alexander, now retired from the Senate, was one of the leaders on this issue. And PATTY MURRAY is always there from the State of Washington. Well, we are going to keep our word again this year.

Basic medical research, which the United States leads the world in, is going to be enhanced with this improvement of more than 5 percent increase in the budget of the National Institutes of Health.

I am particularly pleased that this omnibus bill includes a dedicated \$25 million for the implementation of the ACT for ALS bill, which became law late last year. I want to thank Senator COONS for his leadership on that issue. This funding will ensure that NIH can quickly launch new initiatives to expand access to treatments for those suffering from ALS.

Sadly, I am disappointed to say that the package does not include COVID relief. We are at a turning point in this pandemic. New cases of COVID are at their lowest rates in more than 7 months, praise the Lord; and parents and families are just as anxious as can be to get their kids back in school and life back to normal. These are promising developments—from vaccines to better treatments—but we cannot pretend that this pandemic is over for good, nor that it won't resurface in terms of new variants. We need to prepare for whatever the coronavirus might have in store for us. We need to make sure we have the therapeutics and strengthen our capacity to detect new variants before they become pandemic.

Given the dire urgency of the situation in Ukraine, I understand we simply don't have time to go back to the bargaining table, but many of us still believe that a toolkit to deal with future infections in COVID or the next pandemic is absolutely essential. I can only hope the Senate agrees with that on a bipartisan basis.

Two years into this pandemic, we know this virus is anything but predictable. It operates like free-form jazz. Just when we think we have found

our rhythm, the tempo gets turned upside down with a new variant. This current lull in cases is the perfect moment to tune up our instruments, keep our fingers sharp, and prepare for whatever is next.

Let me close by saying that, aside from the omission of additional COVID relief, there is much to celebrate in this spending package. It is an example of what Congress can achieve when it works together.

In the face of Russia's horrible invasion of Ukraine, an invasion that has already created 2 million Ukrainian refugees, we are standing together in defense of democracy. Russia's invasion is a tragic illustration of one man's mania and of a conflict that will define the 21st century if we don't stop it in its tracks. Right now, Putin is waging yesterday's war with yesterday's goal of reestablishing the Soviet Union. He is sending ill-equipped teenagers in Russian Army uniforms into Ukraine to terrorize innocent families and bomb children in hospitals, all in some delusional effort that he is going to create the new Russian Empire, with him being installed as the Czar of that enterprise. He is not willing to face the challenges of the New World. So he is trying to revive the Old World.

Autocrats like Putin live in fear of the future. Democracies like America welcome it because we know that the future represents an opportunity to build a better world for everyone. That is precisely why President Zelenskyy and every Ukrainian is fighting to protect their country. They are protecting, as well, the freedom to shape their own future, not to have their future dictated by a man like Vladimir Putin.

With the spending package before the Senate, we can begin building our own future as well—a future made in America.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. SCHATZ). The Senator from Iowa.

#### U.S. DEPARTMENT OF JUSTICE

Mr. GRASSLEY. Mr. President, it has been a year since we in the Senate confirmed Merrick Garland to be Attorney General.

During his confirmation hearing, I outlined what a successful Department of Justice looks like and what I expected of him as our new Attorney General. I gave him the answers to the tests. By this rubric, he has failed. For instance, I urged him to build off the successes from the previous Justice Department to reduce crime, maintain the rule of law, and protect our civil liberties. But violent crime continues to rise, the rule of law is undermined, and our civil liberties are in danger.

Instead of condemning all violent crime, Attorney General Garland's Justice Department targets lawful gun owners and blames those gun owners for the rising murder rates, carjackings, and attacks against law enforcement.

But the explosion of crime in blue cities is actually tied to depolicing measures, hiring progressive prosecutors, and enacting disastrous bail reform policies. Lawful gun owners are not to blame for this rise in crime.

And in the midst of a crime spike, a number of Biden appointees and judicial nominees strongly backed by Attorney General Garland have supported radical ideas in the past, like defunding the police or at least reducing funding for police. And some have even advocated not prosecuting certain crimes. So how do you expect to effectively fight crime with the lineup that I just gave you?

Instead of tackling the opioid crisis, the Garland Justice Department wants to make it easier for fentanyl traffickers to spread their poison. Fentanyl analogs are responsible for most overdose deaths and are lethal in very tiny amounts, as we all know. But the Garland and Biden administration support eliminating mandatory minimums for these fentanyl analog dealers. Really?

In addition, Garland has wielded his power to undermine the rule of law and cave to political pressures. The Attorney General has summarily reversed a number of decisions issued by Attorneys General Sessions and Barr that helped enhance the integrity of our asylum system.

This Attorney General has also issued memos, interpretations, and filings to the Supreme Court that contrast with previous Department of Justice positions.

Let me give you an example. His Department of Justice reinterpreted the law to make sure that inmates released to home confinement under COVID relief stay there. His Solicitor General also switched positions on a cocaine sentencing case that was before the Supreme Court. Now, it happens that both of these policy outcomes align with my positions. I agree with those outcomes. But his way of getting there is political. Rule of law must be consistent and not political.

So Garland's flip-flopping also jeopardizes our Nation's security. Instead of protecting the American people from the Chinese Communist Party's espionage, he disbanded the previous administration's successful China Initiative. This program prioritized investigations of national security from China, which is still a very serious threat given that the FBI opens a new Chinese espionage case every 12 hours. So I don't know why this would be disbanded. This move is concerning and dangerous to our national security and reflective of partisan pressures trumping smart law enforcement.

Also, political decisions are getting in the way of the consistent application of the rule of law. For example, Attorney General Garland's Department of Justice is politically selective about which cases to pursue and which cases to dismiss. Despite the 100-night siege against the Portland courthouse

in 2020 and 96 people being charged as violent rioters, almost half of those charged have been dismissed.

Compare this to the Department of Justice's own statement on the 1-year anniversary of January 6:

The Department of Justice's resolve to hold accountable those who committed crimes on Jan. 6, 2021, has not, and will not, wane.

Now, we all know that those who break the law should be held accountable—no question about that. And as our Nation's top law enforcement officer, it is incumbent upon him to enforce the rule of law. He cannot pick and choose when the rule of law is politically convenient or easy.

Under Garland's leadership, the Department of Justice is also undermining valuable civil rights. This is something that he and I have had a lot of discussions on as he has appeared before our committee.

So undermining valuable civil rights, instead of prioritizing that, Attorney General Garland has killed the speech of American parents. He sent a memo to the FBI and the U.S. attorneys around the country to be on the lookout for upset parents at school boards. He did this after the National School Boards Association suggested that some people should be branded domestic terrorists. Imagine that charge—that you go to a school board meeting, you might be a domestic terrorist.

What is even worse, there seems to be some evidence that the Secretary of Education may have asked the National School Boards Association to write that awful letter, which the association later had to apologize for. Garland says his memo was just about violence and threats of violence; but sure enough, whistleblower reports show that the FBI's counterterrorism division was looking way beyond only violence and threats. Parents' ability to voice their concerns, especially now, is a precious right, and the Department of Justice's actions cannot kill such vital speech constitutionally protected by the First Amendment.

Also, instead of being responsive, the Attorney General has been evasive. Last year, I sent approximately 50 letters to the Department. That is one-third of all letters that they received from Members of the U.S. Senate.

The Attorney General wanted me to know that I sent one-third of all the letters he got from the other 99 Senators. So when the Attorney General told me that, I don't think he meant it as a compliment.

I received some letters in response. However, when I am told that they have responded to me, simple or lots of words on a piece of paper don't, in and of themselves, make a letter responsive.

Furthermore, the Department has failed to provide responsive records, with the exception of one or two small productions. By way of example, I received a 30-page production of records from the Department. It included improper FOIA redactions and failed to