

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

include the necessary spreadsheets. Accordingly, that production is a failed production because FOIA does not apply to documents going to the Congress of the United States, so you shouldn't have that redaction.

Also, I have repeatedly asked if Nicholas McQuaid is recused from the Hunter Biden criminal investigation, and that is an important thing because he seemed to work in the law firm that was representing Hunter Biden. And it ought to be a simple question to answer, but Attorney General Garland refuses to tell me whether McQuaid is recused from those cases.

At the Judiciary Committee's October 27, 2021, Justice Department oversight hearing, I said to Attorney General Garland:

When I placed holds on your nominees for the Department's failure to comply with Republican oversight requests, I said either you run the Department or the Department runs you. Right now, it looks like the Justice Department is running you.

That ends my quote of October 27 last year.

So that statement still holds true. Instead of protecting the American people, the Attorney General is sacrificing our Nation's top law enforcement agency to politics during a violent crime spike. Instead of being stewards of our Nation's laws, the Attorney General is leading the charge upending the rule of law. Instead of fighting for civil rights, he is chipping away at those civil rights.

Attorney General Garland, there is still time to change. You have 3 years left in this administration. I urge you to change course. I urge you to bring the Justice Department back to a place of leadership: leadership in reducing violent crime, leadership in maintaining the rule of law, and leadership in protecting our civil liberties.

I yield the floor.

The PRESIDING OFFICER. The Republican whip.

UKRAINE

Mr. THUNE. Mr. President, the humanitarian crisis in Ukraine continues to escalate. Americans who walked by a newsstand on Monday were met with the wrenching picture of a Ukrainian family killed by Russian shelling, a mom and her two children struck down as they attempted to flee along a main evacuation route from Irpin to Kyiv, an evacuation route that Russia shelled.

Yesterday, the world saw pictures of the devastation after a maternity hospital in Mariupol, Ukraine—maternity hospital—fell victim to a Russian air strike.

President Zelenskyy reported that there were children buried under the rubble—children.

One newspaper reported:

The bombing took place during what was supposed to be a ceasefire in Mariupol so that civilians could evacuate. It marks the fourth time a so-called 'humanitarian cor-

ridor' out of the city has failed because Russian forces opened fire.

"[T]he fourth time a so-called 'humanitarian corridor' out of the city has failed because Russian forces opened fire."

"Opened fire" on civilians, on parents trying to save their children, this is what Russia is doing.

The scenes in Ukraine are unreal. They are scenes that we thought had finally been left behind in the dust of European history: devastated cities, apartment buildings with their sides sheared off, the smoking ruins of homes and businesses, a school reduced to rubble, mass graves.

In 2 short weeks, Vladimir Putin has wrought an unimaginable amount of devastation. The damage he has done will take years, if not decades, to rebuild. The scars may last much longer.

And for what, Mr. President? For what? For one man's vision of a Russian Empire. Vladimir Putin wants Ukraine, and he is apparently willing to destroy Ukraine to get it—destroy Ukraine and devastate his own nation, because Russia is suffering too because of Putin's war of aggression.

There are no smoking ruins of apartment buildings in Russia, but there is the senseless waste of so many young Russian lives, soldiers and conscripts sent to die in Ukraine for a war that is not their own. There is Putin's brutal crackdown on protesters and journalists, and there is the economic devastation his nation will suffer—is already suffering—as a result of sanctions and companies' decisions to pull out of Russia to protest its unprovoked attack on Ukraine. Vladimir Putin is laying waste to two countries.

These have been dark days for Ukraine, but the devastation in Ukraine has been met with determination. This is Ukrainians' fight, and they are not shrinking from it. The Washington Post recently reported that more than 66,000 Ukrainians who were outside the country have returned to answer President Zelenskyy's call to arms. That is 66,000 Ukrainians who could have sat in safety outside Ukraine who have returned to help defend their country.

Outnumbered as they are, the Ukrainian people are standing fast, and they are slowing down and in many places holding off the Russians. Soldiers and civilians alike have taken up arms to defend their nation, and it is clear that the spirit of Ukraine, now roused, will not be quenched.

No matter the resolve of the Ukrainian people, Ukraine cannot hold out alone. Without military, intelligence, and humanitarian support from other free nations, Ukraine may fall. We can't sit by and let that happen.

Congress is currently considering legislation to send additional military and humanitarian aid to Ukraine. I hope that we will be able to take a vote on this and very, very soon. As I have said before, the United States was too slow to send aid to Ukraine and sanction

Putin in the lead-up to Russia's attack. We can't afford to make the same mistake again.

I commend President Biden for doing the right thing this week and banning American imports of Russian energy. Every dollar we send to Russia to purchase energy is a dollar that Russia can use to prosecute its war in Ukraine.

Now, we need to focus on developing our energy resources here at home, all of them—all of them, conventional and alternative—to ensure that our Nation never again has to depend on countries like Russia for essential energy supplies. We should also take this oil ban a step further by enacting the bipartisan Crapo-Wyden bill to suspend permanent normal trade relations with Russia and Belarus.

The bill would also direct the U.S. Trade Representative to seek to suspend Russia from the World Trade Organization. A nation that flouts the rules and makes a mockery of diplomacy should not enjoy a seat at the table.

I heard directly from President Zelenskyy in a Zoom call Saturday, and he made a powerful appeal for help from the West. Among other things, President Zelenskyy requested that we help close the skies over Ukraine.

One solution that has been offered to help protect Ukrainian airspace is for Poland, Bulgaria, Romania, and Slovakia to provide their MiG-29 jets to Ukraine. We need to do everything that we can to help Ukraine in this fight, including helping to pave the way for Ukraine to get the air defense resources it needs.

Poland has stepped up and expressed a willingness to provide the MiGs, but we now find ourselves at a dead end as to how to facilitate the transfer to Ukraine. We need to find a solution, and I encourage the administration to find a way to safely navigate the logistics of such a transfer. After all that Ukraine has managed to do, it would be a tragedy to see the country lose its fight because the United States and other NATO countries could not agree on how to get the Ukrainians the resources they need.

While we should be cautious about what Putin may choose to do as his losses grow and his off-ramps dwindle, the United States and NATO cannot allow Moscow to dictate our actions. To do so would not only be to surrender Ukraine but to give a green light to despotic governments the world over, from China to Iran.

On Saturday, President Zelenskyy delivered an address to the Ukrainian people. "Free people of a free country," he began. "Free people of a free country." That is what Ukrainians are fighting for, to be a free people in a free country. And I think their fight is very close to the hearts of the American people, for after all, for what did our forefathers fight but to be a free people in a free land, to have the right to determine their own destiny and to live free of oppression?