

H.R. 4373

Mr. SCHUMER. Mr. President, I want there to be no mistake about what just happened here on the Senate floor. Republicans blocked a bipartisan bill that would provide vaccines, testing, and therapeutics for the American people.

Yesterday, a group of Democrats and Republicans announced we had reached a bipartisan agreement for COVID relief funding, but today, a majority of Senate Republicans have blocked this critical and much-needed funding from going forward.

Vaccines, therapeutics, and testing were negotiated in good faith. And it should not—they should not be held hostage to extraneous, unrelated issues. This is too important for the health of the American people. But that seems precisely what some Republicans want to do.

This is a potentially devastating vote for every single American who is worried about the possibility of a new variant rearing its nasty head within a few months.

It is devastating for any American who, in the future, looks for a vaccine or a booster shot, only to be told supplies have run out.

It is devastating for anyone looking down the line to get tested because they feel sick or want their families safe and discover no tests are available. It is devastating for anyone who—God forbid—falls seriously ill but can't access lifesaving therapeutics because the Federal Government can't purchase new supplies because of the vote our colleagues on the Republican side of the aisle just took.

Too many Republicans seem to want to play politics at a time when we need to work together to pass legislation our country desperately needs. Republicans voted no on vaccines for kids. Republicans voted no on tests for new COVID variants. Republicans voted no on therapies to save lives and make us less sick.

Have we learned nothing from the last 2 years of living with this horrible disease? Have Republicans learned nothing about how lack of preparation could damage our economy? This money—the money that they rejected today—will go a long way to keeping our schools, our businesses, our churches, our communities running as normally as possible.

If we want to stay at normal, we need these dollars. Without these dollars, the risk of schools closing, of businesses closing, of public transportation closing is too large.

Should a future variant rear its nasty head—should a future variant rear its nasty head—Americans will know who voted against more funding. An ounce of prevention is worth a pound of cure.

This was a \$10 billion agreement that was fully paid for. If there is another surge, it costs us 10 times that if we are behind the curve again.

I hope Republicans will get serious about this. It should not be so difficult

for them to do something so good and important for our country. There is still some time. I hope my Republican colleagues change their tune quickly.

I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

## CHILD TAX CREDIT

Mr. BENNET. Mr. President, I appreciate the opportunity to address the Senate on an issue of real importance to our country and to families in Colorado and all across the United States.

Today, 120 economists wrote an open letter—in the face of the inflation that we are now facing as a nation, as a result of the economic growth that we are having coming out of this very deep recession, and the supply chain interruptions that have caused inflation, 120 economists sent an open letter saying:

The expanded Child Tax Credit is one of the easiest, most effective, and direct tools currently at our disposal to help families deal with the impact of inflation on family budgets.

The expert opinions about the causes of and solutions to rising inflation are as varied as the authors of this letter, but we agree on this: the expanded Child Tax Credit is too small to meaningfully increase inflation across the whole economy.

That means that that \$100 billion a year that the child tax credit costs to lift half the kids out of poverty isn't going to drive inflation in a \$21 trillion economy. That is one of the points these economists agreed on.

“[B]ut,” they wrote, “it will make an important difference for family budgets, especially families in the bottom half of the income spectrum. Monthly Child Tax Credit payments are a proven success at helping families keep up with the everyday costs of keeping a family afloat.”

Mr. President, I ask unanimous consent to have printed in the RECORD the open letter signed by 120 economists.

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

## OPEN LETTER FROM ECONOMISTS: EXTEND THE EXPANDED CHILD TAX CREDIT TO HELP FAMILIES KEEP UP WITH RISING COSTS

The cost of everything from food and fuel to housing and clothes is going up at the fastest pace in decades. Families need relief. The expanded Child Tax Credit is one of the easiest, most effective, and direct tools currently at our disposal to help families deal with the impact of inflation on family budgets. A recent analysis by Moody's found that inflation is costing the average family \$296 per month, with lower-income families being hit even harder. Each \$250 to \$300 monthly child tax credit payment can offset the toll inflation is taking.

The expert opinions about the causes of and solutions to rising inflation are as varied as the authors of this letter, but we agree on this: the expanded Child Tax Credit is too small to meaningfully increase inflation across the whole economy, but it will make an important difference for family budgets, especially families in the bottom half of the income spectrum. Monthly Child Tax Credit payments are a proven success at helping families keep up with the everyday costs of keeping a family afloat. With inflation causing those very costs to rise, the Child Tax

Credit is even more important now to help families meet their basic needs.

## PARTIAL LIST OF SIGNERS

Dean Baker, Center for Economic and Policy Research; Nina Banks, Bucknell University; Chris Benner, University of California Santa Cruz; Alan Blinder, Princeton University; Indivar Dutta-Gupta, Georgetown Center on Poverty and Inequality; Teresa Ghilarducci, The New School for Social Research; Darrick Hamilton, The New School for Social Research; Samuel Hammond, Niskanen Center; Elaine Maag, Urban Institute/Tax Policy Center; Ioana Marinescu, University of Pennsylvania School of Social Policy and Practice; Manuel Pastor, University of Southern California; Bob Pollin, University of Massachusetts Amherst.

Organizations listed for identification purposes only; views should be attributed to the individual, not the organization, its trustees, or funders.

## FULL LIST OF SIGNERS (118)

Alan Aja, Randy Albelda, Mona Ali, Elizabeth Ananat, Eileen Appelbaum, Kate Bahn, Dean Baker, Nina Banks, Chris Benner, Eli Berman, Alan Blinder, Peter Bohmer, Elissa Braunstein, Howard Chernick, Israel Chora, Kimberly Christensen, Jennifer Cohen, Steve Cohn, Amy Crews Cutts, Sheldon Danziger.

Matthew Darling, Stephanie Didwania, Peter Dorman, Laura Dresser, Indivar Dutta-Gupta, Gary Dymski, Alison Earle, Todd Easton, Kevin Egan, Luciana Etcheverry, Doyne Farmer, Deborah M. Figart, Daniel Finn, Nancy Folbre, John Gallup, Teresa Ghilarducci, Fabio Ghironi, Jacob Goldin, Neva Goodwin, Ulla Grapard.

Mitchell Green, Erica Groshen, Robin Hahnel, Darrick Hamilton, Leah Hamilton, Samuel Hammond, Douglas Harris, Martin Hart-Landsberg, Marianne Hill, Emily Hoffman, Dorene Isenberg, Sarah Jacobson, Fadel Kaboub, Haider Khan, Mary King, Tim Koehlin, Andrew Kohen, Jeanne Koopman, Edith Kuiper, Ronald Lee.

Margaret Levenstein, Catherine Lynde, Elaine Maag, Arthur MacEwan, Ioana Marinescu, Thomas Masterson, Gabriel Mathy, Aine McCarthy, Elaine McCrate, John Miller, Kyle Moore, Katherine Moos, Sucharita Mukherjee, Michele Naples, Julie Nelson, Reynold Nesiba, Joseph Nowakowski, Stephen Nunez, Jennifer Olmsted, Lindsay Owens.

Lenore Palladino, Elizabeth Palley, Manuel Pastor, Francisco Perez, Chiara Piovani, Robert Pollin, Bina Pradhan, Kelsey Pukelis, Morgan Richards-Melamdir, Yana Rodgers, Leopoldo Rodriguez, Stephen Roll, Giacomo Rondina, Lygia Sabbag Fares, Max Sawicky, Peter Schaeffer, Juliet Schor, Elliott Sclar, Stephanie Seguino, Tim Smeeding.

Mary Stevenson, Samuel Stolper, Diana Strassmann, Kay E. Strong, Chris Tilly, Zdravka Todorova, Mariano Tarras, Dietrich Vollrath, Mark Votruba, David Weiman, Mark Weisbrot, Thomas Weisskopf, Jeannette Wicks-Lim, Kathryn Wilson, Rachel Wilson, Brenda Wyss, Yavuz Yasar, Andrew Zimbalist.

Mr. BENNET. Mr. President, this is no surprise to me. I was for the child tax credit before we had COVID because for the last 50 years, as I have said before on this floor, we had an economy that has worked really well for the top 10 percent of Americans and basically hasn't worked for anybody else.

We have some of the lowest economic mobility in the industrialized world. We have got some of the greatest income inequality in the industrialized world.

Stunningly—stunningly—in the last two economic downturns, economic inequality has only gotten staggeringly worse in this country because of the massive asset inflation that has benefited the wealthiest people in the economy who are in the position to make money on their money or, in the case of a lot of people, on real estate. In Colorado, it is making it harder and harder and harder for working people to find a place to live.

And I can tell you that our kids pay the highest price from this.

I was the superintendent of the Denver Public Schools before I was in this job. A majority of kids were kids of color; a majority of kids were kids living in poverty. And their families were working—contrary to what some people around here think, their families were working two and three jobs. The problem wasn't that their families weren't working. It wasn't that they weren't working hard. They were killing themselves, and no matter what they did, they couldn't get their kids out of poverty, and that is not a consequence of anything that is their fault. They are doing everything they can. For that matter, their kids are doing everything they can—going to schools that ought to do a better job for the kids living in poverty all over this country.

And some people think that we have to just accept this as a fundamental aspect of our economy or our democracy or our society; that somehow the United States of America is such a failure as a community that we have to accept being 38 out of 41 industrialized countries in terms of childhood poverty; that we are willing to permanently accept the idea that the poorest people in our society are our children.

I think there is something we can do about it. I know there is something we can do about it. I know there is a lot of skepticism about the Federal Government's ability to do anything well. I share that skepticism sometimes.

We fought two wars in the Middle East that lasted for 20 years, that cost about \$5.6 trillion—seems like a set of bad decisions.

We have cut taxes on the floor of this body by \$8 trillion since 2001. Almost all of the benefit of that has gone to the wealthiest people in the country, when we have got the worst income inequality that we have had since 1928.

It has been staggering to watch—it has been staggering to watch people stay here at the end of a legislative year, at the end of a Congress, and burn the midnight oil to make sure that we can extend the tax cuts for the wealthiest people in the country and for the largest corporations in America.

That is how you know it is 2 o'clock in the morning in the U.S. Senate. It is when we have to extend tax cuts for the richest people in this country during a time of devastating income inequality that is perpetuated by the economic cycles that we continue to have.

But last year, Mr. President, as you know, because you were a big part of this, we did something different. We adopted the expanded child tax credit; we adopted the expanded earned income tax credit. Those bills were Bennet-Brown and Brown-Bennet, respectively—my friend SHERROD BROWN from the great State of Ohio.

And here on this, ahead of tax day, I wanted to come down to the floor just to give you a little report, kind of a book report, a status report on what has happened.

And what I want to tell you is it worked. It worked. It worked. We discovered we didn't have to live in a society that was 38 out of 41 industrialized countries. We discovered that we didn't have to accept the world where the poorest people in our country were our children.

We benefited 61 million kids in the United States—90 percent of the children in Connecticut, 90 percent of the children in Colorado, and 90 percent of the children all across this country directly benefited from a bill we passed here.

We cut childhood poverty nearly in half. We cut hunger by a quarter for families with kids during a pandemic, which feels like a worthy thing to have done. We did it without adding a single bureaucrat to the Federal Government. We did it without adding one more Federal Agency. We proved we could do it.

And then we didn't extend it at the end of the year. And now, predictably, childhood poverty is shooting up in the United States of America. Hunger is shooting up in the United States of America.

I was on the phone with the leaders of the food banks across Colorado who have done such an incredible job during this recession and during the last recession making sure people are fed. I have visited some of those food banks. I know that people are saying to me that there are, you know, two-thirds of the people who are showing up were people who didn't show up before we had this catastrophe of COVID.

But guess what is getting longer now, as a result of our failure to extend the child tax credit. It is the lines in these food banks. It is the people coming to get food for their kids instead of being able to go to the grocery store with the dignity of the expanded child tax credit.

There is a shred of good news here that I wanted to just speak about for a second because this will be my chance to do it, and I just want to remind people that as families file their tax returns, they will receive the second half of their child tax credit, which is worth up to \$1,800 per child. That is still available. It is not coming in a monthly form anymore. It is not coming into your bank account anymore in that automatic way, but when you file your tax returns, you will receive it.

And the other thing, because of the EITC work that we did—the earned income tax credit work—workers with-

out children will receive the expanded EITC, which we tripled last year—we tripled last year.

We finally decided we are not going to tax people into poverty anymore in this country, which is what we were doing before we expanded that.

So I wanted to remind families to claim their child and dependent care tax credit as well.

We expanded that last year to a maximum of \$4,000 per child, and in my view we have to continue to come down here and fight to make these credits permanent. And it is my goal for us to end childhood poverty in this country.

I think cutting it in half—that was an exciting thing. It has been a long time around here—decades, generations—generations since we have seen a reduction in poverty in this country like the reduction in childhood poverty we saw last year, generations since we have seen a reduction in hunger like we saw last year.

And the good news is, we now know that it is a fact that we can do it. There are a lot of countries in the world that have an expanded child tax credit or child benefit like the child tax credit, and in all those countries, fewer of their kids live in poverty.

And their workforce participation rates are actually higher, which doesn't surprise me at all, based on the stories I heard from families about what they were spending the child tax credit on, which was everything that had to do with their kids, from buying back-to-school clothes to paying for a bicycle so a young man in Colorado Springs could stay at school late so he could have extracurriculars that he otherwise wouldn't have had the ability to achieve, so that his mom could stay at work for a few more hours so she could provide for the family.

There is literally no data in America or anywhere else that doesn't support the idea that this is a pro-work policy, the child tax credit.

We didn't have any trouble, as I said earlier, extending the \$8 trillion of tax cuts that we have cut for the wealthiest people in this country since 2001.

For that money, we could have extended the child tax credit for 50 years. We could have doubled it for 25 years, and we could have ended childhood poverty in the United States of America. I guarantee you that would have been a better investment than sending money to people who need it least in our economy.

I would say to my own party that I am really grateful that we passed this last year, but I am deeply, deeply disappointed that we couldn't come together and extend it.

I am deeply, deeply disappointed that we haven't fulfilled our promise to reverse the Trump tax cuts for the richest people in America. It doesn't make any sense. It is completely upside down, but that is where we find ourselves.

I wish I could express how different it felt at the end of the year when it was

kids, many of whom were living in poverty and their families who were getting, on average, \$450 a month—when the lights were going out on them, and we just went home. We just went home. There was nobody burning the midnight oil here to make sure that the kids got the benefit of this.

And, by the way, even if you don't believe that living in a society where the poorest people are your kids and that it ought to be a purpose of a nation to lift kids who, through no fault of their own, find themselves in poverty; who, through no fault of their own, find themselves living in a country where we have less economic mobility than almost any other industrialized country in the world and therefore don't have the opportunity to rise that generations had before them—and, hopefully, generations that will come after them—and that are attending a system of education in this country because of the lack of early childhood education in the United States, because of the lack of quality K-12 education in this country, because of the incredible expense of higher education—who are attending a system that is actually reinforcing the income equality we have rather than liberating people from their circumstances.

(Mr. MARKEY assumed the Chair.) The best predictor of the quality of your education in this country is your parents' income, to the point of ruthlessness—to the point of ruthlessness.

I want to mention that Senator ROMNEY, who is a Republican from Utah, has a very similar bill to my bill to expand the child tax credit. In fact, it is basically the same bill. He is a little more generous with kids under the age of 6, and we have a difference of view on pay-fors, but I think that is a bridgeable difference. And I have no doubt that in the long term, we will come to a bipartisan agreement in this Chamber to make the enhanced child tax credit permanent; to decide that even if you don't care about the kids, which you should, that the country can't afford this level of childhood poverty, that our democracy won't be sustained with this level of income inequality. That is what I believe. That is what I know.

Childhood poverty costs the United States of America \$1 trillion dollars a year. That is why it is not surprising that Columbia University did a study and found that we get an 8x return—that the child tax credit would pay back the United States eight times what it costs. Again, what it costs is \$100 billion a year, but childhood poverty costs us \$1 trillion a year.

Instead of accepting the idea that we are going to be at the bottom of the cellar when it comes to kids living in poverty, what we said was: No, we are going to cut it in half.

And let me assure you, as a former school superintendent and—well, as a former school superintendent—the cost of mitigating for childhood poverty far exceeds the cost diminishing it.

It is an amazing thing to me, on top of everything else that we are talking about today, that when families are in the grip of the kind of inflation that they are in the grip of—which costs them somewhere between \$270 to \$300 a month, depending on where they live and depending on who they are—that it wouldn't occur to us that the easiest thing to do would be just to reinstate what we were doing last year and allow people to have the benefit of \$450 on average to raise their children, to pay for a little bit of extra childcare, to pay for a little bit of transportation to fix a car that is broken so they can stay on the job.

I know there are some colleagues here who think that this policy disincentivizes work. Even before we passed this last year, every study that looked at this that I was aware of, with the exception of one outlier that I think had terrible data—every single one—said that this was not going to negatively affect work.

And guess what. Now we have had a 6-month experiment in the United States of America, and every study, including the one by the American Enterprise Institute, which was a doubter about this policy—and I think probably still is a doubter about this policy—found that it had no effect on people's work habits.

The problem in America is not that people don't work hard. That is not the problem that we have in this country. People are killing themselves. And it is true that wages are up by about 5.6 percent since the Biden administration went into office, which is great, awesome. It is great, but we have had the effects of inflation, and we are a long way from having an economy that, when it grows, it grows for everybody, which, by the way, that is what we need to do. That is what we have to achieve.

This democracy will not survive another 50 years of an economy that, when it grows, it grows for the top 10 percent, and everyone else's wages are flat or everyone else is effectively in a recession. There is no evidence in world history that with that level of income inequality, that lack of economic mobility, that, over 100 years, you can sustain a democracy.

And we don't have to do that. We don't have to do that. We can make it permanent, put it back in place—pay for it, by the way. I believe we should pay for it by raising taxes on the wealthiest people in the country, like we said we were going to do by reversing the Trump tax cuts—the Trump giveaways which were sold as the middle-class tax cut. They were so smart because they gave people in the lower levels of the income ladder a little bit, to say: There is your Trump tax cut—so he could go out to the Mahoning Valley, go out to Youngstown, and tell people: You got your tax cut. You are welcome.

What he didn't tell them was that 52 percent of the Trump tax cuts went to

the top 5 percent of Americans; that after he left the people of the Mahoning Valley and Youngstown, an old steel town, and then he went on to Mar-a-Lago, where people were having a New Year's Eve dinner, or whatever it was they were having, and the first thing he said to them was: You are welcome. That was a lot closer to the truth.

You are welcome. You are welcome that I cut your taxes at a time when income inequality is greater than at any time since 1929. You are welcome that I cut the corporate rate to 21 percent, even though no one in corporate America was asking for a 21-percent tax cut. "You are welcome" is what he said.

I said earlier, Mr. President, before you were here, that there are people in the country that are skeptical of the Federal Government doing anything well and that I have my own skepticism for the reasons I said earlier. But there are people in terms of the child tax credit that said it would never work. You know, 6 months before we did it or 4 months before we did it, I was getting stopped by reporters everyday asking: Do you think they are really going to be able to do this? Can the IRS, can the Department of Treasury—can they really administer this?

And the answer is yes, they did. They did a fantastic job. They didn't get everybody at first. They didn't get everybody at first, and we knew that would be a problem. We enlisted people all over the State of Colorado who worked with folks, who worked with working families and worked with families who are living in poverty, because, remember, this wasn't just about kids living in poverty.

Ninety percent—90 percent—of America's children benefited from this. That is why some people have called it Social Security for kids. Some people have called it universal basic income for kids. I think it is a good thing because I can tell you that 90 percent of the kids in Colorado can use the help; because 90 percent of the people in this country and in my State have not benefited from economic growth the same way the top 10 percent of Americans have for the last 50 years.

And, as I mentioned—I just want to say again on this floor because there were people out there saying, "People are going to drop out of the workforce,"—it did not happen. It didn't happen in other countries that have a tax benefit like this, and it didn't happen during the 6 months that we were here.

I understand that, maybe, we would have a different debate. People would say: Oh, my God, Michael, all these people dropped out of the workforce. It didn't work the way you said that it would.

It did work the way I said it would. It did work the way that data said that it would, and moms and dads—very unsurprisingly to me—who were working hard to begin with, probably just

worked harder because now they had the chance to pay for a little extra childcare. Now they had the chance to fix a car or, as I said, let their kid go to extracurricular activities so they could stay at work. And that is what all the studies have shown.

So I suppose one good thing has come out of this, which is—or maybe it is more than one good thing—it is that we now know that America is no different than any other place in this respect: that when parents get a marginal, incremental amount of money, they don't quit their jobs; they feed their kids. But as a society, we are able to say that we cut childhood poverty in half and we cut hunger in half—by 25 percent.

What good is it that now there are families that are lined up in soup kitchens, today, who weren't there 6 months ago because they had the benefit of the child tax credit?

As I said, parents spent this credit on all kinds of different things. I mentioned childcare. I mentioned the bicycle for extracurricular, but, I will tell you, the thing that I heard from every single parent that I talked to—and there were a lot of them in Colorado over the last 6 months, over the last 6 months of last year—was the stress that it had relieved for their family—that grinding stress of being in a recession, the grinding stress of being in the middle of a pandemic, the grinding stress of having your kids out of school or having interrupted schooling, the grinding stress of living in an economy where people are saying to you, no matter how hard you work, that somehow it is your fault that you can't give your family that; and that the decisions that we have made over many years in this Chamber and in the Chamber across there, and that some of the largest institutions have made as well, unfortunately, have created real headwinds for working people and for their families.

We are in the middle here of considering the China COMPETES bill, which I think gives us a real opportunity to reassess what we have been doing for the last 40 or 50 years.

Every single thing we set and we told the American people we were doing in their name with respect to China and its presence in the World Trade Organization and what China would do as a result of that—none of that turned out to be true. And when I say “China,” I don't mean the Chinese people. I mean Beijing. And we realize now that they weren't going to follow the rules of the road. We realize now that they were engaged in state-sponsored capitalism, and that is very hard to compete with; and that instead of just privileging the people in our society who want to make stuff as cheaply as possible in China, maybe we ought to be thinking about other things, like our supply chain—protecting our supply chain—or our national security or whether we are creating good-paying jobs in the United States so that when the economy grows, it grows for everybody.

We have an opportunity to do that now, and that is what I want. That is what I really want: It is an economy that, when it grows, it grows for everybody, because that is the American dream, that is the story we told ourselves about who we are as a people, and that is the way to strengthen our democracy. That is what I really want.

In the meantime, what I would like us to do, since we now know how to do it, finally, is lift half the kids in this country out of poverty so they have a chance to pursue the American dream themselves. I used to say that this Chamber treated America's children like they were someone else's children because of the education system that we have provided for them. And when we did the child tax credit, I came out here and I said: I can finally come to this floor and say: We are now treating America's children like they are America's children.

But, for the moment, that is no longer true, and, for the moment, we are treating them like they are someone else's children, and we will rue the day that we did this. We will rue the day that we did this.

This is a pro-work policy. It is a pro-family policy. It is a pro-democracy policy. We now know it worked, and it worked well. We have got to fight to make it permanent, and that is what I will do.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

#### WAR CRIMES ACCOUNTABILITY ACT

Mr. DURBIN. Mr. President, Europe has seen its share of horrors over the last century: the atrocities of World War I, World War II, as well as the Bosnian war. Ukrainians, in particular, suffered under the rule of Joseph Stalin. During the tragedy known as Holodomor, millions of Ukrainians died of starvation—forced starvation.

In the wake of some—but not all—of these atrocities, the world responded by bringing the perpetrators to justice. After World War II, of course, there were the Nuremberg trials; and after the Bosnian war, President Milosevic was charged with crimes against humanity by an international criminal tribunal.

Sadly, now, in 2022, we are faced with the question: How will the world react to the crimes that are now being committed in Ukraine?

Over the past week, we have witnessed the reality of Vladimir Putin's genocidal rampage on the innocent people of Ukraine, and the scenes of brutality in Bucha are seared in our collective memory.

Today, in Bucha, Ukraine, there are mass graves surrounded by bodies hastily shoved into garbage bags, civilian cars crushed like tin cans, and front yards and gardens lined with the dead bodies of innocent Ukrainian people.

One survivor, Antonina Pomazanko, aged 76, watched helplessly as Russian soldiers murdered her daughter, Tetiana. Without provocation, the Rus-

sian soldiers opened fire on her home, and the bullets ripped through the gates and fence as Tetiana was standing in the yard. She was killed in an instant.

On Sunday, the New York Times ran a photo of Mrs. Pomazanko looking over her daughter's dead body. Mrs. Pomazanko had covered it with plastic sheets and wooden boards. It was lying in the same spot where she was killed last month.

In the words of Mrs. Pomazanko:

There was so much shelling, I did not know what to do.

There is nothing that will fill the void of loss and despair that Mrs. Pomazanko and millions of Ukrainians feel at this very moment, but there is more—much, much more—that we, as Americans, must do.

The actions of Vladimir Putin harken back to some of Europe's darkest days—the atrocities committed by the Nazis during World War II, the massacres of the former Yugoslavia—days that we must endure and days which we hope we never have to relive. And as I mentioned, after the Allied Forces liberated Europe in 1945, the world responded. It came together at the historic Nuremberg trials.

When the trials first convened at the Palace of Justice on November 21, 1945, Supreme Court Justice Robert H. Jackson delivered the opening statement.

He said:

The wrongs which we seek to condemn and punish have been so calculated, so malignant, and so devastating, that civilization cannot tolerate their being ignored because it cannot survive their being repeated.

“Civilization cannot tolerate” and “cannot survive” the war crimes we have witnessed in Ukraine going unpunished.

President Biden recognized that fact on Monday in his calling for a war crime trial for the horrors in Ukraine.

President Lincoln once said to Congress when he proposed an end to slavery:

We—even we here—hold the power, and bear the responsibility.

It is within the power and the responsibility of this body to deny safe haven in America or anywhere to perpetrators of these heinous crimes.

Under existing law, foreign war criminals who come to the United States, incredibly, cannot be prosecuted. They cannot be held liable in a civil action or even be deported for their heinous crimes. Currently, the War Crimes Act only applies if the perpetrator or victim is a U.S. service member or a U.S. national. In other words, it would not cover the Russian officials who are responsible for the commission of war crimes in Ukraine nor cover the Russian soldiers who committed those crimes.

We also don't have a statute or a law in America making crimes against humanity a violation of U.S. law. This was the primary offense prosecuted in Nuremberg, and it was a critical tool for holding violators accountable.