

The September 23, 2016, FBI electronic communication opened a full investigation into the Alfa-Bank allegations, but let's unpack the first few lines from that document.

The FBI received a referral of information from the US Department of Justice.

The Department of Justice provided the FBI with a white paper that was produced by an anonymous third party.

Well, the information didn't come from the Department of Justice; it came from Sussmann and the Clinton campaign—hardly an anonymous third party since Sussmann himself showed up at the door. By wording it this way, the document almost blesses this so-called white paper. Mind you, the white paper is the false Alfa-Bank information. By the looks of it, this FBI document contains false information.

I fear these recent developments are just the tip of the iceberg. The FBI's exposure to false information and actually using that false information for investigative purposes wreaks of a political vendetta. It points to a "get Trump at all costs" attitude.

Whether Sussmann is convicted or not, the evidence introduced by Durham shows serious government misconduct—misconduct by the Federal Government of the United States of America. Special Counsel Durham can't let government misconduct go unpunished.

I yield the floor.

#### EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the Davis nomination.

The senior assistant legislative clerk read the nomination of Stephanie Dawkins Davis, of Michigan, to be United States Circuit Judge for the Sixth Circuit.

#### VOTE ON DAVIS NOMINATION

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

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

Mr. BROWN. Madam 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 senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Oregon (Mr. MERKLEY), the Senator from Washington (Mrs. MURRAY), and the Senator from Maryland (Mr. VAN HOLLEN) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Arkansas (Mr. BOOZMAN), the Senator from Oklahoma (Mr. INHOFE), the Senator from Alaska (Ms. MURKOWSKI), the Senator from Florida (Mr. RUBIO), and the Senator from Pennsylvania (Mr. TOOMEY).

Further, if present and voting, the Senator from Arkansas (Mr. BOOZMAN)

would have voted "nay" and the Senator from Oklahoma (Mr. INHOFE) would have voted "nay."

The result was announced—yeas 49, nays 43, as follows:

[Rollcall Vote No. 194 Ex.]

#### YEAS—49

Baldwin	Hassan	Reed
Bennet	Heinrich	Rosen
Blumenthal	Hickenlooper	Sanders
Booker	Hirono	Schatz
Brown	Kaine	Schumer
Cantwell	Kelly	Shaheen
Cardin	King	Sinema
Carper	Klobuchar	Smith
Casey	Leahy	Stabenow
Collins	Lujan	Tester
Coons	Manchin	Warner
Cortez Masto	Markey	Warnock
Duckworth	Menendez	Warren
Durbin	Murphy	Whitehouse
Feinstein	Ossoff	Wyden
Gillibrand	Padilla	
Graham	Peters	

#### NAYS—43

Barrasso	Grassley	Risch
Blackburn	Hagerty	Romney
Blunt	Hawley	Rounds
Braun	Hoeven	Sasse
Burr	Hyde-Smith	Scott (FL)
Capito	Johnson	Scott (SC)
Cassidy	Kennedy	Shelby
Cornyn	Lankford	Sullivan
Cotton	Lee	Thune
Cramer	Lummis	Tillis
Crapo	Marshall	Tuberville
Cruz	McConnell	Wicker
Daines	Moran	Young
Ernst	Paul	
Fischer	Portman	

#### NOT VOTING—8

Boozman	Murkowski	Toomey
Inhofe	Murray	Van Hollen
Merkley	Rubio	

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.

#### CLOTURE MOTION

Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 896, Dara Lindenbaum, of Virginia, to be a Member of the Federal Election Commission for a term expiring April 30, 2027.

Charles E. Schumer, Christopher Murphy, Tina Smith, Robert Menendez, Christopher A. Coons, Michael F. Bennet, Robert P. Casey, Jr., Benjamin L. Cardin, Elizabeth Warren, Tim Kaine, Patty Murray, Jack Reed, Sheldon Whitehouse, Tammy Duckworth, Debbie Stabenow, Edward J. Markey,

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Dara Lindenbaum, of Virginia, to be a Member of the Federal Election Commission for a term expiring April 30, 2027, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Oregon (Mr. MERKLEY), the Senator from Washington (Mrs. MURRAY), and the Senator from Maryland (Mr. VAN HOLLEN), are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Arkansas (Mr. BOOZMAN), the Senator from Alaska (Ms. MURKOWSKI), the Senator from Florida (Mr. RUBIO), and the Senator from Pennsylvania (Mr. TOOMEY).

Further, if present and voting, the Senator from Arkansas (Mr. BOOZMAN) would have voted "nay."

The yeas and nays resulted—yeas 54, nays 39, as follows:

[Rollcall Vote No. 195 Ex.]

#### YEAS—54

Baldwin	Graham	Peters
Bennet	Hassan	Portman
Blumenthal	Heinrich	Reed
Blunt	Hickenlooper	Rosen
Booker	Hirono	Rounds
Brown	Kaine	Sanders
Cantwell	Kelly	Schatz
Cardin	King	Schumer
Carper	Klobuchar	Shaheen
Casey	Leahy	Sinema
Collins	Lujan	Smith
Coons	Manchin	Stabenow
Cornyn	Markey	Tester
Cortez Masto	McConnell	Warner
Duckworth	Menendez	Warnock
Durbin	Murphy	Warren
Feinstein	Ossoff	Whitehouse
Gillibrand	Padilla	Wyden

#### NAYS—39

Barrasso	Grassley	Paul
Blackburn	Hagerty	Risch
Braun	Hawley	Romney
Burr	Hoeven	Sasse
Capito	Hyde-Smith	Scott (FL)
Cassidy	Inhofe	Scott (SC)
Cotton	Johnson	Shelby
Cramer	Kennedy	Sullivan
Crapo	Lankford	Thune
Cruz	Lee	Tillis
Daines	Lummis	Tuberville
Ernst	Marshall	Wicker
Fischer	Moran	Young

#### NOT VOTING—7

Boozman	Murray	Van Hollen
Merkley	Rubio	
Murkowski	Toomey	

The PRESIDING OFFICER. On this vote, the yeas are 54, the nays are 39.

The motion is agreed to.

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

#### ORDER OF PROCEDURE

Mr. MARKEY. Mr. President, I ask unanimous consent that at 6 p.m. today, the Senate vote on confirmation of the Lindenbaum nomination and the cloture motions on the Padin, Sweeney, and Morrison nominations; and that if cloture is invoked on any of those nominations, all postcloture time be considered expired and the Senate vote on confirmation of the nominations at a time to be determined by the majority leader or his designee, following consultation with the Republican leader.

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

#### NUCLEAR PROLIFERATION

Mr. MARKEY. Mr. President, what is the current threat of nuclear annihilation?

The Bulletin of Atomic Scientists' Doomsday Clock measures how close humanity and the planet is to destruction. The answer is: 100 seconds. That is tied for the closest we have ever been to planetary ruin since the clock started in 1947.

Recent nuclear events are likely to turn the dial even further. The size, diversity, and lethality of North Korea's weapons continue to grow, as does its threat to our allies in the region. North Korea's Kim Jong Un has fired more than a dozen missiles this year. Preparations are being made for another nuclear test.

Iran is just weeks away from acquiring a nuclear weapon, the tragic consequence of Donald Trump blowing up the Iran nuclear deal that President Biden is now trying to stitch back together.

In Xinjiang, the same province where China has constructed forced labor camps, more than 100 domes, likely housing missile silos, dot the landscape. The Pentagon says these sites are part of the evidence behind China's quest to double its nuclear forces in the next 5 years.

Belarus's authoritarian leader Lukashenko has made a deal with the devil, Vladimir Putin, to stay in power. Part of the price for Putin's lifeline was a demand that Lukashenko amend the Belarus Constitution to allow for the placement of Russian nuclear weapons on its territory, further taunting Ukraine and all of Europe with existential ruin.

European leaders are readying the distribution of iodine tablets in the event of mushroom cloud drifts overhead. The continent's residents are building fallout shelters right now.

It should come as no surprise then that in a recent poll, 70 percent of Americans said they fear that Putin will use nuclear weapons in the war in Ukraine. These global fears are well-founded. We fought over the course of decades to make nuclear weapons taboo, but they are making a big comeback. In January, the five nuclear weapons States of the Nonproliferation Treaty affirmed that "a nuclear war can never be won and must never be fought." But actions speak louder than words, and the actions of Russia in Ukraine, the hundreds of missile silos taking form in China, and the \$51 billion the United States is set to spend on nuclear weapons this year alone tell us that nuclear weapons are still very much in vogue.

The Doomsday Clock was created at the start of the nuclear age, and in the past 75 years, the minute hand has fluctuated. It has inched closer to midnight with the Soviet Union's first nuclear weapons test, India's "Smiling Buddha" test, and more recently, President Trump's threats of "fire and fury" against Kim Jong Un.

When the destructive power of nuclear weapons has been curbed, the clock has receded from midnight. Kennedy and Khrushchev answered the Cuban Missile Crisis by banning atmospheric and undersea nuclear tests; Bush and Gorbachev retired thousands of nuclear weapons made obsolete by the fall of the Iron Curtain; and Obama locked down nuclear material around the globe, keeping it out of the hands of terrorists.

I fear that we are seeing echoes of the darkest days of the Cold War—a time marked by fear and distrust of an adversary's true intentions; a time when the gold-plated defense establishment plowed ahead with new capabilities without any consideration of how proliferation begets proliferation; a time when the myth of a "bomber and missile gap" with the former Soviet Union spurred an arms race that brought us to the brink.

Thankfully, President Biden has taken some steps to crank the minute hand back from midnight. While Trump was intent on dissolving the New START treaty with Russia, President Biden saved it in his first days in office. The treaty's value, especially in the context of Russia's war in Ukraine, cannot be overstated. The treaty puts our eyes on Russia's strategic forces so we can be confident in distinguishing between Putin's nuclear bluster and actions that should legitimately raise the alarm.

But the New START treaty is not enough. Putin's provocations about nuclear escalation, coupled with his brandishing of battlefield nuclear weapons, highlight our need to negotiate new systems into a future treaty or agreement with Russia. Putin's invasion of Ukraine threw a wrench into progress in the U.S.-Russia strategic dialogue, but when the moment arrives, we need to restart these discussions, and we need to be bold.

The use of nuclear weapons as coercive tools means it is essential that we do not welcome any new members to the nuclear weapons club. President Trump failed us by creating a minefield of obstacles against cleanly reentering the Iran nuclear deal, but President Biden knows that the alternative to reentry is far worse: We will see more enrichment, more proxy attacks, and risk a direct war with Iran versus the United States.

We must also hold our partners to the same verification standard as we hold Iran. Saudi Arabia must come clean about its illicit nuclear and missile cooperation with China. We should insist that Saudi Arabia adopt the Additional Protocol to its International Atomic Energy Agency Comprehensive Safeguards Agreement so that we can be sure that any future nuclear program turns out peaceful megawatts, not megatons; so that it is an electricity program and not a nuclear weapons program.

Kim Jong Un's recent missile launches show that we ignore the North Korean leader at our own risk. In consultation with our allies, we need

to break the endless cycle we have seen: a provocation from the North, followed by sanctions, then another provocation, sparking a fresh round of sanctions. Our policy is stuck in an endless loop of nuclear Groundhog Day. It is time to concede that a leader like Kim Jong Un, who is willing to divert resources away from his starving people in order to strengthen his weapons of mass destruction program, cannot be coerced to disarm by piling on sanctions alone. While the denuclearization of North Korea is a worthy long-term goal, we have to humble ourselves to pursue the art of the possible—incremental steps that reduce the threat of war on the Korean Peninsula.

In facing all of these challenges, we cannot continue to preach temperance from a barstool. As the leader of the only country to have used nuclear weapons in a conflict, we can't afford to take a back seat when it comes to reducing nuclear risks. The President must use his position to send the message that responsible nuclear weapons powers don't roll out new weapons systems in military parades; they sit down in good-faith negotiations to reduce the sizes and uses of their nuclear deterrents—and that must include China.

Russia's invasion of Ukraine has set back the nonproliferation regime, but it also creates an opportunity for President Biden to challenge China's Xi to join him in reassuring a rattled world that firing on nuclear reactors is off limits, that threatening countries with existential weapons is unacceptable, and to show the world that the inevitability of a "Sputnik moment" with China does not have to come to pass. Our two countries may disagree on a lot, but we can embrace the organizing principle that the only way to win an arms race is not to run in one.

For instance, we are concerned about China's development of maneuverable hypersonic systems and its plans to expand its ICBM force, but Pentagon leaders admit that Beijing's concerns about advances in U.S. missile defenses are partly the impetus for that buildup. We are concerned that China may be drifting away from its no-first-use doctrine, but both the United States and Russia explicitly allow for the use of nuclear weapons in response to a nonnuclear attack. We fear that China may use new civilian nuclear reactors to churn out massive amounts of separated plutonium for bombs, but other countries in the region also have the capacity to divert fissile material from a peaceful to a nonpeaceful program.

If President Biden can get Xi to the negotiating table, we have a chance to shape an alternative future to the inevitable doom that the Pentagon has previewed—one that does not see the United States and China joining Russia in pursuit of new innovative, more lethal ways to kill one another; one that instead negotiates near-term confidence-building measures to reduce

nuclear risks with China and that can ultimately lead to the conclusion of formal arms control agreements between our countries. The United States cannot do it alone, but we can break the cycle of nuclear escalation and secure a future wherein the fate of millions no longer hangs on the whims and judgments of fallible leaders or the military-industrial complex.

We need President Biden to outline that bold action plan that draws inspiration from our better angels, not from the unhinged policies of nuclear weapons overkill that Stanley Kubrick lampooned in "Dr. Strangelove."

In my book "Nuclear Peril: The Politics of Proliferation," written in 1983, I wrote:

Nuclear proliferation is a problem too long ignored. Now, before it is too late, the public must draw the line. The stakes are too high.

The public clearly understands that the stakes for our planet have never been higher, but it is not too late, not yet. Once the clock hits midnight, though, our time is up. It is time for action, not rhetoric. This issue is one that can no longer be ignored.

I yield the floor.

**THE PRESIDING OFFICER.** The Senator from Tennessee.

**BIDEN ADMINISTRATION**

Mrs. BLACKBURN. Mr. President, the Biden administration has made a name for itself in attacking the very institutions that they were sworn to protect. If you look at what is happening outside Washington right now, you can see the ripple effects of this institutional sabotage. There is inflation; there are shortages; there is crime; and there are drugs flooding our communities.

This weekend, I was chatting with one of my politically independent-minded friends back home, and here is what she told me.

She said:

Everything the Democrats are doing is making my life harder. It makes things worse.

Last Tuesday, I held a telephone townhall with a few thousand Tennesseans, and they told me the same thing.

I spoke to a dad from Chattanooga, and something he said really struck me. He was telling me about how worried he was about his children's futures. He said the only common thread he can see tying all of this together is suffering.

Think about that. Here is a dad—a dad—who is looking at the actions of the Democrat-controlled House, Senate, and White House, and to him, he is perceiving the intent as being to inflict suffering.

He asked me what the goal was of all of this—referring, of course, to Biden's agenda. He couldn't figure it out, and I really don't blame him. No reasonable person can look at what the Biden administration has done and say that they feel like the administration has our best interests at heart or that they have a vision for the future of the

country. What they do have is an agenda, a "to do" list, and it seems sometimes they struggle with that.

To Tennesseans, this government, under this administration, with this leadership, is all broken. It is broken. Nowhere has this been more pronounced than in President Biden's refusal to support law enforcement, both down on the border and in our local communities.

Since day one, the President has done everything in his power to sabotage the tens of thousands of people the Department of Homeland Security employs to secure the homeland. He has done this knowing full well that international criminal organizations, terrorists, and cartels are taking advantage of his lack of action. In fact, business has never been better for the drug dealers and the human traffickers. At times, they are raking in as much as \$100 million a week. That is right. Who is profiting? It is the cartels that are pushing drugs, that are pushing fentanyl, that are pushing gangs, that are pushing sex trafficking; the cartels that have turned themselves into global organizations, bringing in people last year from 160 different countries to our southern border. To do what? It is to enter illegally, to claim asylum, to ask the U.S. taxpayer to finish the journey for them to wherever they are wanting to go. This is what the people are seeing.

Now take a look at what is happening in our own backyard, if you will. In 2021, almost 108,000 Americans died from drug overdoses. About 4,000 of these were Tennesseans—all tragic losses. Law enforcement in Benton County, TN, told me recently that about 80 percent of the drugs they seize contain fentanyl, which, as we all know, is deadly even in very small amounts. Ask any law enforcement officer where these drugs are coming from, and they will tell you that the majority of this is coming across the southern border. The cartel mules are smuggling it right across that border.

Our Border Patrol is overworked; they are underfunded; they are understaffed; they are working overtime. They are doing their best, but they can't get it all. They look at the surveillance cameras. They see the "got-aways." They know that they are coming.

If the Biden administration abandons their title 42 authority at some point in the future, it is going to get worse. We will have the equivalent of the population of a small town in Tennessee coming right across that border.

In Tennessee, we have got 345 towns, and 90 percent of those are 18,000 in population or fewer. When you look at Connecticut, you have got 215 towns, and 87 percent of those are—you have got it—18,000 or fewer in population. If you look at the State of Maryland, there are 536 towns, and 458 of those are 18,000 or fewer in population. That is 85.4 percent. Now think about that number of people crossing the border

every single day, and all that the traffickers—the drug traffickers, the human traffickers—and all of the gangs have to do is blend in. Come on in.

I would like to say, until the Biden administration wises up and secures the border, every town will be a border town, and every State will be a border State.

The problems associated with drugs and criminal activity don't stay in New Mexico or Arizona or Texas or California. They bleed into the rest of the country and into the hands of local law enforcement. They have enough to be dealing with.

Here are some stats for you. In 2021, homicides in U.S. cities reached a near-record high. The number of law enforcement officers intentionally killed on the job was the highest since 9/11, and ambush-style attacks on police increased 115 percent.

Meanwhile, earlier this year, the Biden administration floated the idea of using yet another Executive order to limit law enforcement's access to resources and Federal grant money. Between the "defund the police" movement and this halfhearted support from their President, it is no wonder that law enforcement officers are resigning or quitting or retiring in record numbers.

I would ask the President and Secretary Mayorkas and my Democratic colleagues to listen to what those who have sworn to protect and serve are telling them, because they know what the Biden administration needs to do.

This administration would be well-served to keep title 42 until we have a plan to replace it. Embrace the "Remain in Mexico" policy and do what law enforcement has asked for decades: build a wall. They need that barrier. Give them technology, better technology, and more officers and agents. That is what they need. They continue to ask for it. Give them what they need to do their job to protect this country.

As it stands, Democrats have abandoned Border Patrol, abandoned local law enforcement, and according to my friends in Tennessee, they have abandoned we, the people. And the people are losing faith. They look at the White House and they have no idea who is in charge. They don't see their concern for the future reflected in the actions of the President or his staff who repeatedly corrects him. They don't see a vision for America. All they see is a to-do list, an agenda, that will fail them over and over again because it leads to more government control and less freedom for we, the people.

I yield the floor.

**THE PRESIDING OFFICER.** The Senator from Maryland.

**INFRASTRUCTURE**

Mr. CARDIN. Mr. President, yesterday, I was in Southern Maryland at the Thomas Johnson Bridge. This bridge was built in the 1970s. It connects St. Mary's County with Calvert County. There are critical facilities that are located in this region. I say that because

this is an evacuation route. We have Calvert Cliffs Nuclear Power Plant. We have Pax River. We have the Cove Point LNG facilities.

When it was built, a few thousand cars traversed the bridge on a daily basis. Now over 30,000 cars traverse this bridge. It is not safe. It is a two-lane bridge, and it needs to be replaced. Major accidents occur on a regular basis, causing incredible congestion, as well as risking people's health.

I was there at the invitation of Senator VAN HOLLEN. He could not make it physically to be there, but he helped arrange for a congressional earmark to help advance the replacement of this bridge.

I say that because we need to deal with traffic safety in this country, and replacing unsafe bridges is just one part of that program.

The National Highway Traffic Safety Administration's 2021 fatality report was just recently released, and the numbers are shocking. Nearly 43,000 people lost their lives on our highways in 2021. This is the highest number since 2005. We are moving in the wrong direction on traffic safety. It is the largest increase in fatalities since we have been keeping the records since 1975.

Pedestrians and bicyclists, nearly 7,500 lost their lives in 2021. And if you look at the deaths between 2010 and 2019, 53,435 people, pedestrians, were killed as a result of traffic accidents. The impact is disproportionate in communities of color.

In its report, *Dangerous by Design*, Smart Growth America found that "older adults, people of color, and people walking in low-income communities are disproportionately represented in fatal crashes involving people walking—even after controlling for differences in population size and walking rates. The fatality rate in the lowest income neighborhoods was nearly twice that of the middle income census tracts . . . and almost three times that of higher-income neighborhoods."

If you have had a friend or a family member killed or injured by a roadway collision, then the issue of safety is a personal one. The reality of the situation, however, is that this is an issue that affects all of us. All safety incidents cause delays and congestion on our roads, and these delays are disruptive. They make us late to pick up our kids from daycare. We miss important meetings. Our levels of anxiety rise as we sit in traffic frustrated as our cars burn fuel in stop-and-go traffic, sending excess pollution into the air we breathe. All of this hurts our wallets, our health, and our sense of well-being.

With new data sources and analytical tools, the Center for Advanced Transportation Technology, "the CATT Lab," at the University of Maryland has been able to quantitate some of the other impacts. Using numbers the CATT Lab analysts consider as conservative for the value of time placed on commercial vehicles and the trav-

eling public, they found that there were nearly \$8 billion in user-delay costs due to safety incidents on National Highway System roadways in 2019. Safety-related incidents accounted for over 18 percent of all congestion and over 300 million vehicle hours of delay. And this is just on our National Highway System, not our local roads.

Imagine if we could get back those 300 million hours of time to be with our families, to be more productive at work, to be more creative, and to live happier lives. Imagine if we could get back the \$8 billion. This is something that is obviously of concern to everyone. The worst thing that we could do at this critical moment is to be complacent, to shrug our shoulders and say this is just the price we pay to have cars and the so-called freedom that our cars provide.

For those who have lost a loved one to a collision, this is an unacceptable price, and it should be unacceptable to all of us because we can do better and we must do better.

I applaud the Biden administration and the Department of Transportation for putting forth a National Roadway Safety Strategy earlier this year that adopts a long-term goal of zero roadway fatalities. The plan takes a comprehensive look at safety and all the pieces needed to help us tackle this challenge, from safer drivers to safer vehicles to more effective after-crash care. All these components are necessary. Today, however, I just want to focus on our roads.

Yes, we need individual drivers to do their part: to slow down, stay focused, to be alert. Yes, we need new technologies for safer vehicles. This is true, but it is not enough. What we need now more urgently than ever is better infrastructure and safer roadways. Therefore, fixing this problem is not about halting construction; it is about building.

We need the infrastructure but the kind of infrastructure that will provide safety. We need better sidewalks, better bike paths, and better intersections. In many places, we need to remove the vast expanses of pavement that have for so long facilitated speeding and restore the network of neighborhood streets that facilitate connections and support communities and children.

This is the infrastructure that will be better for businesses too. Many communities have found that small businesses aren't helped by roads that make it easier for cars to speed right by. They are helped by safe places for customers and employees to walk around and spend time. We need the infrastructure, but we need the right kind of infrastructure.

This year, we have a historic opportunity to change course and invest in infrastructure we need for stronger communities and safer roadways through the Bipartisan Infrastructure Law, but we have to be deliberate and determined in seizing this opportunity.

I was proud to be part of the Environment and Public Works Committee. I chair the Infrastructure Subcommittee. We worked together, Democrats and Republicans, to produce a bipartisan surface transportation bill, a bipartisan WRDA bill—Water Resources Development Act. They were incorporated into the bipartisan infrastructure package. I am proud of that work.

The Bipartisan Infrastructure Law provides several new policy tools and funding to help us address safety on our roads. I would like to highlight three important programs in the infrastructure law that will play a vital role in helping us to change course.

First, the Bipartisan Infrastructure Law provides \$15.6 billion for the Highway Safety Improvement Program, which is one of our longstanding formula programs whose purpose in statute is to "achieve a significant reduction in traffic fatalities and serious injuries on all public roads." These are formula funds that go to our States.

With the enactment of the infrastructure law, the Highway Safety Improvement Program will now incorporate a consideration of a safe systems approach, which aims to protect vulnerable road users from the start, from the designing of our roads.

A consortium the Johns Hopkins Center for Injury Research Policy convened has highlighted the importance of a safe system approach based on a wealth of evidence-based research. Their report said that a safe systems approach "begins with a commitment to eliminate fatalities and serious injuries among all road users, and uses thoughtful road and vehicle design to minimize crashes that occur when people make mistakes and to reduce crash forces so that people are less likely to be injured when crashes occur. By designing safety into the road system, deaths and serious injuries are engineered out." That is what the report pointed out.

Here again, the message is clear—we cannot simply wait for all drivers to be error-free. We need to design and build better roadways.

Under the new and improved Highway Safety Improvement Program that the bipartisan infrastructure bill will deliver, every State is required to complete a vulnerable road user safety assessment to study where and when fatalities and serious injuries are occurring, including a demographic breakdown to ensure equity considerations are incorporated. States must identify projects and strategies to reduce the risks to pedestrians and cyclists. States in which vulnerable users represent 15 percent or more of all roadway fatalities must spend 15 percent of their Federal Highway Safety Improvement Program dollars on vulnerable user safety.

Based on 2016 to 2018 fatality rates, 28 States would have to spend at least

\$200 million on improvements like sidewalks, bike lanes, crosswalks, and others. This is a major step forward to facing up to the problem and taking action to address it.

The second issue in the Bipartisan Infrastructure Practice I want to talk about is a major expansion of the Transportation Alternatives Program. I am particularly proud about this program. I authored this program originally with Senator Cochran but later with Senator WICKER. The two of us have worked together to connect communities together through pedestrian and bicycle paths so that pedestrians don't have to be on highways in order to get around their community.

Transportation Alternatives is such a critical program because it supports priorities local communities identify for projects to make roads safer and more accessible. This is one of the few programs where our local governments make the determinations.

Transportation Alternatives have funded projects that have improved the quality of life in all kinds of communities across the country in every congressional district, and in big cities and in rural areas. The infrastructure law increases funding for the Transportation Alternatives to 10 percent of the Surface Transportation Block Grant Program, which amounts to \$7.2 billion over 5 years. The infrastructure law also specifies that projects under the Safe Routes to School Program are an eligible use for funds under the Transportation Alternatives Program.

Safe Routes Partnership is an organization that has worked with us on the Transportation Alternatives Program. It has helped governments implement Safe Routes to School initiatives to make it safer, more convenient, and fun for children to walk and bicycle to school.

In Montgomery County, Maryland, crashes involving people walking or biking near schools decreased by 25 to 42 percent after Safe Routes to School efforts provided engineering improvements, like better crosswalks and signs. And by providing the opportunity to walk and bike to school, we can improve safety and promote health and physical activity. Through initiatives like Safe Routes to School, the Transportation Alternatives Program is poised to make a major contribution to delivering on local demands to become more walkable, more bike friendly, and safer for all road users.

Now, the third program I wanted to highlight from the infrastructure law is Reconnecting Communities, which will deliver \$1 billion to address an outstanding equity challenge related to our transportation infrastructure. We held a hearing about the need for this program last year in the Transportation and Infrastructure Subcommittee.

The building of our national highway system from the 1950s was, in many ways, a great national achievement, a major public investment in our infra-

structure that transformed our country and that we continue to rely on today; but for far too many communities, especially communities of color, ethnic communities, and urban centers, the construction of our highways had traumatic and destructive impacts. Rather than connecting their communities and expanding their opportunities, highway construction brought demolition, displacement, isolation, and exclusion. I consider it a major achievement that we finally will have a Federal program focused on addressing this harmful legacy.

My own city of Baltimore struggles with these lasting impacts today that include unsafe and unhealthy conditions for families trying to navigate their city. I specifically refer to the Franklin-Mulberry corridor in downtown Baltimore, where you have a highway that was constructed and never completed that divided existing communities. And that division still exists today, making it more difficult for people to live in that community.

The Reconnecting Communities Program in the bipartisan infrastructure bill will establish a program to improve safety as it also addresses longstanding inequity in our infrastructure, and it is a program that is about building the right kind of infrastructure, not just removing barriers. After we remove the old infrastructure that no longer serves our needs, we need to replace it with the kinds of infrastructure we need more of, such as better sidewalks, neighborhood street grids, signs and crosswalks, and parks that the neighborhood can appreciate and grow.

So we see how the infrastructure law provides new opportunities and multiple programs that can complement and reinforce each other to build better infrastructure and safer infrastructure. I have just highlighted three ways in which the bipartisan infrastructure law can do this, delivering better and safer roads for Americans and bringing down the unacceptably high numbers of traffic fatalities and injuries: the new Highway Safety Improvement Program, Transportation Alternatives, and Reconnecting Communities. This list is not exhaustive. The infrastructure law does even more.

Just last week, Department of Transportation officials announced the availability of \$5 billion over 5 years for a new program focused on safety established by the infrastructure law. The law also provides a mandate to update the Manual on Uniform Traffic Control Devices to give local governments more flexibility to implement safety measures.

I could go on and on. The bottom line is that we have a lot of work to do, and setting this new policy is just the beginning. We need leaders at all levels of government to take on this challenge.

I talked about Transportation Alternatives, which will now receive a full 10 percent of the surface transportation block grant funds, but 10 percent is

just that, 10 percent. We cannot have 10 percent of our funds working for safer roads and 90 percent of our funds working to make them less safe. We need safety prioritized and integrated in all of our infrastructure investments.

I talked about Reconnecting Communities, a new \$1 billion program to remove barriers that have harmed and isolated neighborhoods from opportunity, but we cannot have \$1 billion working to remove these barriers and billions and billions more dollars spent erecting new barriers. We need to build the right kind of infrastructure that we need for our future, not continue on the same path we have been on in the past—the path that has led to 43,000 deaths in 2021 alone.

To accept the status quo would be the most dangerous and radical course of action. Again, I applaud the Department of Transportation for announcing a new national roadway safety strategy in January that thinks through safety across all of the Department's programs and authorities.

We need this leadership from the Federal level, and the Biden administration is providing it. As we implement the infrastructure law and begin to make generational investments to improve our Nation's infrastructure, we will need all levels of government working together. The challenge of our dangerous roads requires all of us to pay attention, but the benefits of investing to make our transportation network safer cannot be understated. If we use the infrastructure law to its greatest potential with respect to safety, we will have a stronger, more productive economy and a healthier, more just America.

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

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

#### IMMIGRATION

Mr. MORAN. Mr. President, in April, more than 234,000 migrants were apprehended at the southern border. This is an alarming number, and it is the highest monthly total in 22 years.

We have a humanitarian, public health, and national security crisis happening at the border. The Department of Homeland Security is bracing for an even bigger surge in the weeks and months to come, with the possibility—the estimates of 18,000 new people showing up every single day.

The Biden administration continues to be absent in this crisis, and instead of offering constructive policies, they are removing ones that are helping prevent even more people from entering our country.

Last week, the court made the decision to require title 42 to remain in place. The reality of ending it would

create an even greater border emergency. Yet the Biden administration is appealing the court's decision.

A recent POLITICO-Harvard poll found that 55 percent of Americans oppose ending this title 42 prohibition. President Biden and Vice President HARRIS have refused to take any leadership on this issue. Not only have they attempted to repeal title 42; President Biden's first order of business after taking office was to repeal nearly every immigration policy of the previous administration.

Repealing policies like title 42 without any plan of action will leave our border agents with an unmanageable task of apprehending, vetting, and documenting hundreds of thousands of migrants while trying to stop drug and human trafficking.

In my conversations with border agents, they describe just how hard a task they have. The cartels have learned that flooding the border with migrants provides a distraction that affords them a better chance of successfully bringing drugs across the border. It is no wonder that fentanyl seizures at the southern border increased 48 percent in April 2022 from the previous year of April 2021.

Our border agents and officers are being asked to be caretakers, law enforcement officers, medical professionals, and so much more. They have a tireless and thankless job. I visited the border in April of last year to meet with the Border Patrol, the DEA, and the FBI and to hear firsthand about how the crisis affected their operations. They shared how handling a large surge of migrants has made it extremely challenging to carry out their mission to stop and disrupt transitional criminal organizations from drug trafficking.

These agents were sounding the alarm in April of 2021 when border encounters totaled 178,000. Now, compare that to the 234,000 migrants crossing the border in April of this year.

I have consistently worked to increase resources to our Border Patrol agents. We must prioritize additional border security measures that include a physical barrier and investments in new technologies. We must also enforce our immigration laws and work to reform our immigration system so that we reward those who follow the law and disincentivize illegal crossings.

While title 42 will remain for now, the Biden administration plans to continue to fight this ruling and has almost zero constructive plans to help improve the crisis at the southern border.

One thing is for certain, our Border Patrol agents are doing an incredible job. And I want them to know they are supported in the U.S. Senate, and we thank them for their service our Nation.

RECOGNIZING C.W. PORUBSKY GROCERY AND MEATS

Mr. President, today I recognize a Kansas business that has served To-

peka, our State capital city, for more than 75 years with hot bowls of chili, cold-cut sandwiches, spicy pickles, and warm conversations.

To someone from out of town, Porubsky's Grocery and Meats doesn't seem like much, but to railroad workers, Topeka locals, and legislators from the statehouse who frequent Porubsky's, it was the best place in town to grab a delicious meal and receive a friendly welcome.

Opened in 1947 by Katie Porubsky and her son Charlie Porubsky, C.W. Porubsky Grocery and Meats was an iconic restaurant in Topeka and had fans around the country. While the grocery store portion was originally the driving force behind the business, it is best known for being a spot to meet folks for lunch.

Gourmet magazine summed it up as well as anyone when it stated that "Porubsky's is not just a place to eat. It is a destination in itself." Charlie Porubsky's sons, Matthew, Charlie Jr., and Mark, alongside the Porubsky daughters, Cecelia Pierson and Teresa Thomas, have kept this business alive and have made their homes in Topeka.

Over the years, the restaurant has developed a reputation of having some of the most delicious chili in the area. The start of chili season is a day their loyal customers look forward to year in and year out.

My personal experience with Porubsky's dates back to my time in the Kansas Legislature. Several of my fellow legislators and I would make the trek to Porubsky's during legislative breaks. Meeting from January through June meant that we had at least 3 full months to truly enjoy Porubsky's hot pickles and spicy chili. With meats and cheese trays displayed, the restaurant was a warm respite from the cold and a welcome break from our political and governmental dealings.

Even today, as I travel across Kansas, I have a habit of altering my plans so that I can have a ham salad sandwich with three slices of cheese and a cold Coke at Porubsky's and enjoy the warm family hospitality. When my flight from DC to Kansas at the end of the week lands early, I have the chance, during that 2-hour drive home, to make the trek across the Kansas River and up to North Topeka to go to Porubsky's. And I will find wonderful people, great food, and a sense that I am home, where all the talk is not about politics and not all the Washington, DC, insider conversation; it just feels like you are around real people and real Kansans.

While Porubsky's and many family-owned establishments like it lack the bells and whistles of nationwide chains, the underlying quality that truly matters is the collection of people it takes to make it work. The value of places like Porubsky's can't be measured in economic profits or Yelp reviews. What the Porubsky family has been serving up for decades is more than just tasty sandwiches; it is a place where you can

go to know people and to be known—and known so well that your sandwich is made before you even make it to the counter to order it.

Squeezing into a seat at the restaurant, it doesn't matter if you are a Republican or a Democrat. It doesn't matter where you come from. At places like Porubsky's, everyone is welcome.

While I am sad to see Porubsky's close their doors after decades—75 years—of service, the Porubsky family themselves and their famous grocery will never be forgotten. I knew Charlie and Cecelia's mom and dad, and I know Charlie and Cecelia well today. I thank them for being such good friends and for looking after my well-being and that of thousands of other customers over so many years.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

UKRAINE

Mr. PORTMAN. Mr. President, today marks exactly 3 months since Russia began its war on Ukraine. I have come to the Senate floor for what is now the 13th straight week since that time while the Senate has been in session to talk about this unprovoked, illegal, and brutal war that they are waging on our ally Ukraine, a democratic and sovereign country.

Since I spoke last week, we had a very important development. At the end of last week, the Senate came together in a strong bipartisan vote to pass what is called the supplemental funding bill for Ukraine. The vote was 86 to 11. It passed the House the week prior with a similar strong bipartisan vote. Congress, in this legislation, actually went above what the President had requested. He initially requested \$33 billion and Congress decided to provide \$40 billion to ensure that the Ukrainians had the funding they needed through this fall.

In combination with the help from about 40 different countries around the world, Ukrainians now have the ammunition and weapons, as well as the humanitarian and economic support they need to survive and also to continue their fight for the next several months. Importantly, the supplemental spending bill will replenish what is called the Presidential Drawdown Authority. It was depleted. That is the authority that lets us very quickly transfer weapons from our own surpluses to the Ukrainians and it has been very effective. The legislation raised the Presidential Drawdown Authority cap to \$11 million, \$3 billion over the President's request. Again, the notion is this is going to be needed.

The bill also includes \$6 billion for what is called the Ukraine Security Assistance Initiative, a program I first authored in 2015 to enhance the Ukrainian military's ability to fight off Russian aggression. When we started that program, Russia was only in this part of Ukraine and the line of contact was here in eastern Ukraine.

Here are a couple of maps that show the progress that has been made in



pushing back as Russia has invaded Ukraine starting on February 24. All this area here that is in blue was controlled by Russia at one point, as was this lighter red area. The darker red area was what Russia took back in 2014 after Ukraine chose to look to the West rather than to Russia for alliance and support.

This is what they took in 2014. Then they came in on February 24 with the hope of taking the entire country, and they did control this territory. Everything you see in blue has been pushed back. It is no longer Russian-held territory. It is now back in Ukrainian hands. So this is the map of today.

There is progress being made around Kharkiv. This is a beautiful city in this part of Ukraine. The blue you see here is where Ukrainian military have recently pushed back the Russian forces—in one case, right up to the Russian border. You also see the same here in the eastern and southern—more southern parts of Ukraine, where some progress has been made.

But there is fierce fighting all in this region. And, in fact, recently, you can see where the Russians have made some progress in trying to cut off some of the Ukrainian troops. Initially, they had hoped to make a bridge here to cut off troops in this area. Thousands of them now are pushing through right here and making some progress.

It is a hot war, and the Ukrainians are desperate to have enough ammunition to continue to fight that war to protect their homeland and to have better weapons to be able to push back against Russia.

The end of this war has to be that Russia is pushed out of Ukraine. That has to be our objective. It is certainly one that the Ukrainians share.

The successes against Russia in the battlefield are a testament to the bravery and the effectiveness of Ukrainians who are fighting to defend their freedom, fighting to defend their families, defend their homeland.

But it is also a success that is due to the effectiveness of our help, and particularly, the Ukraine Security Initiative over the past 7 years, especially the training element of it. It was money well spent by U.S. taxpayers to ensure that—along with other NATO countries who provided funding for this, as well—that there was a training component to ensure the military would be more effective. And you can see the results of it. They are outgunned, outnumbered, and yet have been able to push Russia out of all this part of Ukraine and are making some progress in these areas.

The supplemental spending bill I talked about also includes \$4 billion in foreign military financing to allow Ukraine to get American-made weapons and equipment through a lend-lease-type program.

Importantly, the supplemental also includes \$3.9 billion to support enhanced U.S. troop deployments to Europe. That is critical to me because it

has never been more important than now to ensure that we have the troops we need along the border here to be able to ensure Russia knows that if they go beyond Ukraine, we will respond and respond forcefully as NATO—all 30 countries of NATO. So we have reinforced our troops' presence in Eastern Europe, places like Poland, places like Slovakia, Romania, and around the region to be able to ensure that our article 5 agreement under NATO—which is a mutual defense commitment—can be kept.

Again, it is not just us, but it is all the members of NATO. If Russians make a further mistake and do what President Putin has talked about doing—going to places like the Baltics, Lithuania, Latvia, Estonia—NATO will be there, and that should be a big deterrent. Of course, this legislation, the supplemental, was not inexpensive. Forty billion dollars is a lot of money. It has to be subject to appropriate safeguards for transparency and accountability.

Last week, I spoke about many of these safeguards that some of us helped get into the legislation, including the critical role that Congress will play in providing regular oversight over these funds. I expect the administration to keep Congress promptly informed of how it intends to spend this money as required by this law.

Effective oversight of Ukraine will also require a strong diplomatic presence on the ground. We have people there watching how the money is being spent and can report back. I am pleased that the administration heeded the Senate's call to reopen our embassy in Kyiv last Sunday. Kyiv is the capital of Ukraine, here in the middle of Ukraine. It now has a U.S. embassy presence. The officials at the embassy were here in Poland. Some have gone to Lviv in the last few weeks, but now, as of this last week, we are back in Kyiv and we are open for business.

By the way, the same day the embassy opened, we reported out the new ambassador nominee for Ukraine. We haven't had an ambassador there for way too long—about a year and a half or so. And we actually then voted on her on the Senate floor—it may be the fastest nomination ever through this place. That is very important. We unanimously confirmed Bridget Brink to be the Ambassador. She was the Ambassador to Slovakia. She has been in Ukraine before as a Foreign Service Officer. I think she is a very good choice. She is leaving her post in Slovakia and going right into Ukraine. Our diplomatic presence there is once again going to be in a strong position and, therefore, telling the rest of the world that the United States is here and here to stay.

Now that Congress has provided this \$40 billion to support Ukraine and to support our troops in the area, it is up to the administration to ensure that it is used effectively, particularly with regard to the military assistance.

I encourage the administration to use these funds in accordance with the needs on the ground in Ukraine. We have to be sure that we are giving them what they actually need. We have to listen to the Ukrainians who are fighting on the front lines. To me, this would include, as an example, what is called the mobile Multiple Launch Rocket Systems, or MLRS, that they are asking for. This enables them and Ukraine to sit back a little further and not be subject to shelling from the Russian forces, and yet to provide damage to some of the artillery Russia is using against these cities—flattening these beautiful cities and killing so many civilians.

We cannot delude ourselves into thinking if we stop providing certain weapons systems like the MLRS, that somehow we will, therefore, not be provoking Russia and that President Putin will gracefully acknowledge that gesture and cease his assault or lessen his assault on Ukraine. That is not going to happen. Let me be clear. Russia's unprovoked and brutal invasion of a sovereign and democratic Ukraine is the provocation here; not us, not the military assistance we are providing Ukraine just to be able to defend their homeland and their families.

President Biden must be forward-leaning in providing military assistance to the Ukrainians that they need and make it clear that we are in this conflict until it ends—until Russian troops leave, until the bombardments end. If President Putin senses weakness or equivocation on our part or the part of our allies, he will intensify his attacks on Ukraine.

I want to speak for a moment about the broader situation in Europe. Back in 2014, Ukraine made this decision to ally with us, with Europe, with freedom, with democracy, rather than Russia and authoritarianism and tyranny. Russia did not take that well. Again, that is when they annexed Crimea here and parts of the Donbas, Luhansk, and Donetsk. When they did that, the reaction of the West was, frankly, underwhelming. When President Putin launched this war—comprehensive war—on February 24, he probably expected the same feckless response. The global community, when these two happened, really did not respond as forcefully as we should have. Instead of getting the same response that he expected, President Putin initiated an abrupt reversal, particularly in European diplomacy and military policy.

Previously, Europe prioritized avoiding any conflict with Russia by following practices that they believed would be seen by the Kremlin as nonconfrontational. The European and the global approach, including the U.S. approach, to Russia and Ukraine changed when this unjustified and brutal assault began.

Just as President Putin has weakened Russia's position with his unprovoked invasion, the NATO alliance that he tried to undermine has

only grown stronger. In fact, two new countries, Finland and Sweden, have now officially applied for the 30-member-strong NATO membership.

In the aftermath of Russia's invasion, public support for joining NATO skyrocketed in Finland and Sweden. This is especially remarkable in Sweden, whose policy of neutrality dates all the way back to the Napoleonic Wars, well before World War II. But as President Putin has indiscriminately killed innocent men, women, and children in Ukraine and flattened some of the most beautiful cities, the Finnish and Swedish people have seen the benefit of NATO as a security blanket for them too.

I am glad Finland and Sweden applied to join NATO. It is the world's most successful military alliance in history. Each of these two countries has an impressive military and a commitment to higher defense spending, so they have a lot of value to add to the NATO alliance. Their membership will further tilt the power base in Europe in NATO's favor and that is good for peace and tranquility. It is good for the United States, and it is good for our allies.

I was pleased that President Biden hosted the leaders of both those countries last week and that Leader McCONNELL also visited Finland and Sweden when he was overseas just a couple of weeks ago. I join the leader in calling for the Senate to approve their membership bids to NATO before the August recess. Let's make the United States the first country to approve their applications for NATO membership.

I understand that all 30 of our NATO allies have been supportive, with one exception, Turkey. They have expressed concerns about Finland and Sweden joining the alliance for issues unrelated to NATO, in my view. I trust these issues can be worked out among the three countries and encourage the administration to take a lead in moving this application forward. Joining NATO is a serious matter of war and peace. No one should be playing politics here. I look forward to supporting Finland and Sweden's NATO application when they are voted on here in this Chamber.

The Russian military has suffered substantial losses in this war already. Exact estimates are impossible to come by, but it appears in just the first 3 months of this war, Russia has lost as many soldiers as it did in the 9-year war that they waged in Afghanistan.

Let's remember that President Putin thought this would be an easy victory. He thought Ukraine's defenses would be torn apart and shattered in a matter of days and the Ukrainians would lose all hope and all morale. And he thought his actions would split NATO, that the alliance would be unable to respond. Clearly, the opposite has been the case.

And within Russia, there has been dissent, as well. Last week, Boris

Bondarev, Counselor at the Permanent Mission of the Russian Federation to United Nations in Geneva resigned his post. His letter to his colleagues is telling. This is from a senior Russian official:

For 20 years of my diplomatic career, I have seen turns of our foreign policy, but never have I been so ashamed of my country as on February 24 of this year—

Referring to the date the invasion was launched.

The aggressive war unleashed by Putin and the entire Western world is not only a crime against the Ukrainian people, but also, perhaps, the most serious crime against the people of Russia, with a bold letter Z crossing out all hopes and prospects for a prosperous free society in our country.

He is right. There have also been reports of many rank-and-file Russian soldiers who oppose this war and refuse to fight. And there is a recent report of a Russian officer who became so disillusioned with the lies he had been told, he resigned in protest. His own words are telling:

We had a radio receiver, and we could listen to the news.

He said this to CNN, by the way.

That's how I learned that shops are closing in Russia and the economy is collapsing. I felt guilty about this. But felt even more guilty because we came to Ukraine.

And he should. This resignation is telling as Russians from every part of society are beginning to see this war for what it is—unprovoked, tragic, shameful acts of aggression that have brought international condemnation and shame to Russia as a nation. I am confident this is the first of many acts of conscience by senior and junior Russian officials as they seek to restore some level of honor and dignity to their Nation. Kremlin officials and commandos on the ground should know that the world is watching and the war crimes are being recorded. It is not too late to say no to orders to attack and kill your innocent neighbors in Ukraine.

Now, as I have mentioned over the last several weeks as we talked about that, there are a number of very important sanctions that are in place. We talked about trading sanctions; eliminating Russia's tax status; banking sanctions to crush the economy in Russia; the desperate need right now for us to focus more on energy and boycotting energy supplies because that is the single most important sanction that has not been put in place in the way it needs to be. It is funding the Putin war machine. Europe is making progress on this. In fact, by August, we are told, they will no longer be buying Russian coal, for example. But Russia is still getting from Europe \$870 million a day in energy receipts, and that is funding the Putin war machine.

Especially when Russia not only continues its onslaught on Ukrainian defensive combatants but on noncombatants, these sanctions must be tightened. And what they are doing is committing war crimes. I call on the Inter-

national Criminal Court, which has announced an investigation already, to follow in Ukraine's footsteps and immediately begin a war crimes tribunal now—don't wait—because it can have a deterrent effect if it is done now.

We continue to hear the stories every day, and the stories get worse and worse. I was glad to hear that a court in Kyiv began hearings against Sergeant Vadim Shishimarin, the first Russian soldier to go on trial for alleged war crimes. He is accused of shooting and killing a 62-year-old civilian man in the northeastern Ukrainian region of Sumy in late February just a few yards from his home. He pled guilty, and just yesterday—yesterday—he was sentenced to life in prison.

Again, Russian officials and commanders need to see this. These war crimes are being committed, they are being prosecuted, and there will be consequences.

Sadly, this one case we talked about is just a drop in the bucket. Ukraine's Prosecutor General has said that her office is currently investigating more than 10,000 alleged war crimes by Russian forces involving more than 600 suspects. It will take a vast amount of time and resources to hold these criminals to account, and the United States should help Ukraine in this regard. The supplemental spending package we talked about includes money to do just that—to investigate and document war crimes and crimes against humanity committed by Russian forces in Ukraine.

My hope is that holding these Russians accountable will have that deterrent effect.

Because of these terrible actions, I believe Russia also deserves to be designated as a state sponsor of terrorism. I believe the Senate should vote on that. In Chechnya, in Syria, and now in Ukraine, Russia has committed atrocities that reflect a complete disregard for the value of human life. It has terrorized its neighbors and committed clear war crimes and crimes against humanity in Ukraine.

Let me be clear. What the Russian military is doing in Ukraine is not just the product of individual undisciplined units; tacit approval for acts like these come from the top of the command chain.

I have mentioned America's leadership stateside and what everyday Americans have done in light of this Russian aggression and their support for Ukraine. It is truly impressive. It is happening in my State of Ohio and around the country, the contributions in so many ways: the medical supplies that have been sent, the personal vanity kits that have been sent, the amount of food that has been voluntarily given through the World Central Kitchen and others. But tonight I want to close with a few thoughts on our leadership abroad as President Biden is wrapping up his first trip to Asia.

First, I commend the President for taking this trip and for working with



our allies. As China continues to advance its interest not only throughout the Indo-Pacific but around the globe, it is so important that the United States help lead freedom-loving countries in countering their malign actions too.

I visited the region last month with some of my colleagues, and my takeaway was that our partners in the region have a newfound interest in working with us, allying with us, particularly with what is going on with regard to China's aggressive behavior in the Indo-Pacific region.

I also think one of the best ways to push back against what China is doing and considering doing, particularly with regard to Taiwan, is for us to win in Ukraine. Russia being defeated in Ukraine will affect what happens in the Indo-Pacific region.

China right now is entirely aligned with Russia. Their joint statement earlier this year says, as the invasion was being planned, "Friendship between [our] two States has no limits, there are no 'forbidden' areas of cooperation."

We are now seeing China's attempt to extend their reach with a base in the Solomon Islands, as an example. We heard about this when we were over there. They have negotiated in secret a security agreement to allow Beijing to send military personnel to this new Pacific ally of theirs and base naval vessels potentially on the islands. This would be terrible for the region, particularly for Australia—their eastern border is only about 1,200 miles away from the Solomon Islands.

In Ukraine, we have shown strong leadership. We must not stop now when it comes to our allies across the globe. It doesn't matter if it is Russia or China—we must be the beacon of strength for the free world and help bring people together. To do so, we must also start thinking about what it will take to aid Ukraine in the long term. I am not talking about nation building here, but I am talking about helping them in terms of this protracted conflict with Russia and ensuring that we do rebuild a democratic and free Ukraine. Thinking ahead in this fashion may seem premature to some, but I do believe it can save resources in the long run by thinking about how to plan for that now.

In short, we should plan for the possibility of a longer conflict than we had originally anticipated.

Again, our role in Ukraine is essential, but it is a role that combines us with so many other partners around the world. Again, over 40 countries are helping right now in terms of assistance to Ukraine. We are not the world's policeman, but we are kind of like the world's sheriff, and bringing in that posse of other freedom-loving countries is so critical for us to do, whether it is in the Indo-Pacific region or whether it is in regard to Ukraine. We have had tremendous success in terms of bringing people together to

stand for freedom, to stand for democracy, and to stand for the rights of the Ukrainian people.

With that, I yield the floor.

The PRESIDING OFFICER (Mr. MARKEY). The Senator from Connecticut.

ROBB ELEMENTARY SCHOOL SHOOTING

Mr. MURPHY. Mr. President, 13 kids dead in an elementary school in Texas right now. What are we doing? What are we doing?

Just days after a shooter walked into a grocery store to gun down African-American patrons, we have another Sandy Hook on our hands. What are we doing?

There have been more mass shootings than days in the year. Our kids are living in fear every single time they set foot in a classroom because they think they are going to be next. What are we doing?

Why do you spend all this time running for the U.S. Senate? Why do you go through all the hassle of getting this job, of putting yourself in a position of authority, if your answer is that, as the slaughter increases, as our kids run for their lives, we do nothing? What are we doing? Why are you here if not to solve a problem as existential as this?

This isn't inevitable. These kids weren't unlucky. This only happens in this country and nowhere else. Nowhere else do little kids go to school thinking that they might be shot that day. Nowhere else do parents have to talk to their kids, as I have had to do, about why they got locked in a bathroom and told to be quiet for 5 minutes just in case a bad man entered that building. Nowhere else does that happen except here in the United States of America, and it is a choice. It is our choice to let it continue. What are we doing?

In Sandy Hook Elementary School after those kids came back into those classrooms, they had to adopt a practice in which there would be a safe word that the kids would say if they started to get thoughts in their brain about what they saw that day, if they started to get nightmares during the day, reliving stepping over their classmates' bodies as they tried to flee the school.

In one classroom, that word was "monkey." Over and over and over through the day, kids would stand up and yell "monkey," and a teacher or a paraprofessional would have to go over to that kid, take them out of the classroom, talk to them about what they had seen, work them through their issues.

Sandy Hook will never ever be the same. This community in Texas will never ever be the same.

Why? Why are we here if not to try to make sure that fewer schools and fewer communities go through what Sandy Hook has gone through, what Uvalde is going through? Our hearts are breaking for these families. Every ounce of love and thoughts and prayers we can send, we are sending. But I am here on this

floor to beg, to literally get down on my hands and knees and beg my colleagues: Find a path forward here. Work with us to find a way to pass laws that make this less likely.

I understand my Republican colleagues will not agree to everything that I may support, but there is a common denominator that we can find. There is a place where we can achieve agreement. This may not guarantee that America never ever again sees a mass shooting. It may not overnight cut in half the number of murders that happen in America. It will not solve the problem of American violence by itself. But by doing something, we at least stop sending this quiet message of endorsement to these killers whose brains are breaking, who see the highest levels of government doing nothing shooting after shooting.

What are we doing? Why are we here? What are we doing?

I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

TRIBUTE TO MIKE DEVRIES

Mr. DAINES. Mr. President, today I have the distinct honor of recognizing Mike DeVries of Fergus County as Montanan of the Month for his dedication to serving his community and his courage during the Denton fire this past December.

Mike joined the volunteer fire department shortly after moving to Denton with his family back in 2004 and has been loyal to the department and community ever since, serving as chief for 11 years.

On December 1, 2021, Mike's love of his community and resolute leadership was on full display. As the West Wind fire tore through the town of Denton, Mike acted swiftly to maintain incident command and ensure the safety of his firefighters and members of the Denton community.

As Montana suffered a terrible fire season in 2021, Mike not only coordinated aid and resources, he showed care and compassion to his fellow residents of Denton and the surrounding area.

He met with folks who were impacted by the fires and connected personally with all the local firefighters and community members who showed up to help.

Serving as the Denton fire chief is just one of the ways Mike gives back to his community. He is also on the elder board of the Denton Bible Church and has served several terms on the town council.

As a volunteer fire chief, he has spent countless hours training, traveling, and managing the department.

His son Joel says that Mike is held in high regard by other firefighters as he works to build relationships between Denton and surrounding departments.

While Mike is quick to give credit to his crew, he deserves recognition for his leadership during the 2021 fire season, loyalty to the Denton Fire Department, and compassion for his community.

Mike, keep up the great work. You do make Montana proud.

#### TRIBUTE TO KAREN PFAEHLER

Mr. President, today, I have the honor of recognizing a staff member who has turned into family over the years.

Karen Pfaehler is truly one of a kind. She has set the standard for constituent recognitions in Montana, and now it is my turn to recognize her as she retires after many years of service to Montana.

Karen got her bachelor's degree in elementary education and psychology and was hired to work as a military aerospace program manager and contract analyst in Denver, CO.

As fate would have it, she met the love of her life, Gus Pfaehler, at a sales convention.

They moved to Hong Kong for his work and lived there for many years. Later, while living in Bangkok, Karen volunteered and ran the charity division of the American Women's Club. The organization's philanthropic arm gave donations, mostly to Peace Corps volunteers and orphanages.

Karen also enjoyed entertaining Ambassadors and dignitaries for various functions and events.

It was in Hong Kong that Karen and her husband raised their daughter Jaclyn, the pride of their lives.

After their time in Bangkok came to a close, they moved stateside to Salt Lake City, UT.

Once Gus retired from his corporate role, they decided to call Bozeman, MT, home, and it was here that Karen was able to pursue her passion of events and events planning and politics. Her skills were highly sought after, and soon she became a mainstay in Montana political events. In fact, in 2015, she signed on with my team and, lucky for us, she decided to stay.

Karen and her sidekick Winnie, her dog, have spent countless hours combing through every detail of Montana news and headlines, catching every outstanding Montanan.

Karen has worked tirelessly, making sure all Montanans are honored for their heroism, their anniversaries, their birthdays, and, of course, she planned all of our events.

One story in particular that comes to mind was when she received word a large gathering was coming to one of our instate offices. Karen wasted no time getting the details ironed out and created a welcoming experience for our visitors and even had breakfast treats for everybody. It was a wonderful gathering thanks to her hard work and her dedication.

Karen, your expertise and attention to every detail will be missed. The charisma, the positive attitude you bring to everything you do, is highly regarded by all of your peers and by me.

Thank you for your years of service to the great State of Montana. We wish you well on your next chapter of being a full-time grandma. God bless you.

#### NOMINATION OF DARA LINDENBAUM

Ms. KLOBUCHAR. Mr. President, I rise today in support of Dara

Lindenbaum's nomination to be a Commissioner on the Federal Election Commission—FEC—the independent agency responsible for enforcing Federal campaign finance laws.

Ms. Lindenbaum is an experienced nominee who is respected on both sides of the aisle; that is why earlier this month her nomination was reported out of the Rules Committee with bipartisan support, including from Ranking Member BLUNT. I hope more of my Republican colleagues will join us in supporting her nomination today.

I would also like to note that the last time the Senate considered the nomination of FEC Commissioners in December 2020, we confirmed two Republicans and one Democrat, who—importantly—restored a quorum to the Commission.

Ms. Lindenbaum's confirmation will simply maintain the Commission's current partisan balance, since she has been nominated to fill the seat being vacated by Commissioner Walther after many years of service.

The FEC is charged with a critical role in ensuring accountability in our system of government, and it was established by Congress in the wake of the Watergate scandal to restore the public's faith in our electoral processes, to make it clear that, in America, politicians must play by the rules, so that the votes of the people decide our elections.

Now, 47 years later, the work of the FEC is as important as ever. The 2020 election cycle was the most expensive in history. Total spending was over \$14 billion with \$8 billion spent on political advertisements alone. And too many voters feel like their voices are being drowned out. At the same time, the Commission is facing the challenges that arise given rapidly evolving technologies and the ongoing threat of foreign interference in our elections.

It is a big and important job, but Dara Lindenbaum is more than capable of taking it on. Ms. Lindenbaum has extensive experience in election and campaign finance law, with years of experience working for a civil rights nonprofit and in private practice. She also has firsthand experience at the FEC where she worked as a law clerk early in her legal career, and her work representing clients before the FEC will allow her to bring an important perspective to the Commission.

Throughout the confirmation process, Ms. Lindenbaum has shown that she will be a fair and effective Commissioner. In her testimony, she stated that “[t]he consideration of the facts and the law in front of me will be my guideposts as I seek to provide clarity to the regulated community, increase transparency, and collaborate with my fellow Commissioners[.]”

She is both well qualified and well respected. Before Ms. Lindenbaum's nomination hearing, the Rules Committee received a letter from 30 of the Nation's top campaign finance lawyers. The letter “enthusiastically” rec-

ommends Ms. Lindenbaum's confirmation, and it is signed by Republicans, Democrats, and Independents, including Lee Goodman, a former Republican Chairman of the FEC, and Karl Sandstrom, a former Democratic Commissioner. In the letter—and these are their words, not mine—these attorneys praise her as a “thoughtful and conscientious advocate” and “a genial and inclusive colleague.” I agree with their conclusion that she would be “an excellent addition to the Commission.”

The fact that Ms. Lindenbaum has support from top campaign finance attorneys in both parties is no surprise, since she learned about getting along across the aisle at a young age—from her own family. Growing up, her parents supported different political parties, and so every election day, she would take two trips to their polling place, one to watch her mom vote and then another with her dad. Her parents' example will serve her well on the Commission, which in recent years has often suffered from partisan divides and stalemate.

As we know, no more than three Commissioners can be from the same political party, but it requires four votes to take most actions. So when votes consistently fall along party lines, very little gets done. For example, the FEC has not enacted any major disclosure rules or internet regulations in over a decade. Hundreds of enforcement cases have been left unresolved. This is not fair to candidates or to the public.

While I continue to urge my colleagues to pass legislation to address some of these issues, it is also up to the Commissioners to figure out ways to work across party lines and find bipartisan agreement. I know that Ms. Lindenbaum is up to the task and that she will work to find common ground with her fellow Commissioners on these difficult issues.

Our Nation was founded on the ideals of democracy, and we have seen for ourselves in this building how we can't afford to take that for granted. We are reminded every day, as we see the people of Ukraine putting their lives on the line to stand up for their democracy, that it is up to all of us to protect our system of government here at home. At its core, that is the job of the FEC, to ensure the agency fulfills its mission to “protect the integrity of the Federal campaign finance process” and, in doing so, to keep our democracy strong.

I am confident that Dara Lindenbaum is up to this challenge, and I urge all of my colleagues to vote for cloture and support her confirmation.

#### VOTE ON LINDENBAUM NOMINATION

The PRESIDING OFFICER (Mr. PETERS). Under the previous order, all postcloture time has expired.

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

Mr. WHITEHOUSE. 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 Oregon (Mr. MERKLEY) and the Senator from Maryland (Mr. VAN HOLLEN) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Arkansas (Mr. BOOZMAN), the Senator from Texas (Mr. CORNYN), the Senator from Texas (Mr. CRUZ), the Senator from Alaska (Ms. MURKOWSKI), the Senator from Florida (Mr. RUBIO), and the Senator from Pennsylvania (Mr. TOOMEY).

Further, if present and voting, the Senator from Arkansas (Mr. BOOZMAN) would have voted "nay" and the Senator from Texas (Mr. CRUZ) would have voted "nay."

The result was announced—yeas 54, nays 38, as follows:

[Rollcall Vote No. 196 Ex.]

#### YEAS—54

Baldwin	Hassan	Peters
Bennet	Heinrich	Portman
Blumenthal	Hickenlooper	Reed
Blunt	Hirono	Rosen
Booker	Kaine	Rounds
Brown	Kelly	Sanders
Cantwell	King	Schatz
Cardin	Klobuchar	Schumer
Carper	Leahy	Shaheen
Casey	Lujan	Sinema
Collins	Manchin	Smith
Coons	Markey	Stabenow
Cortez Masto	McConnell	Tester
Duckworth	Menendez	Warner
Durbin	Murphy	Warnock
Feinstein	Murray	Warren
Gillibrand	Ossoff	Whitehouse
Graham	Padilla	Wyden

#### NAYS—38

Barrasso	Hagerty	Risch
Blackburn	Hawley	Romney
Braun	Hoeven	Sasse
Burr	Hyde-Smith	Scott (FL)
Capito	Inhofe	Scott (SC)
Cassidy	Johnson	Shelby
Cotton	Kennedy	Sullivan
Cramer	Lankford	Thune
Crapo	Lee	Tillis
Daines	Lummis	Tuberville
Ernst	Marshall	Wicker
Fischer	Moran	Young
Grassley	Paul	

#### NOT VOTING—8

Boozman	Merkley	Toomey
Cornyn	Murkowski	Van Hollen
Cruz	Rubio	

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 actions.

#### CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the

Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 857, Evelyn Padin, of New Jersey, to be United States District Judge for the District of New Jersey.

Charles E. Schumer, Cory A. Booker, Tammy Baldwin, Patrick J. Leahy, Patty Murray, Tina Smith, Sheldon Whitehouse, John W. Hickenlooper, Gary C. Peters, Benjamin L. Cardin, Jeanne Shaheen, Jon Tester, Richard J. Durbin, Catherine Cortez Masto, Mazie Hirono, Amy Klobuchar, Maria Cantwell.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Evelyn Padin, of New Jersey, to be United States District Judge for the District of New Jersey, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Oregon (Mr. MERKLEY) and the Senator from Maryland (Mr. VAN HOLLEN) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Arizona (Mr. BOOZMAN), the Senator from Texas (Mr. CORNYN), the Senator from Texas (Mr. CRUZ), the Senator from Alaska (Mr. MURKOWSKI), the Senator from Florida (Mr. RUBIO), the Senator from North Carolina (Mr. TILLIS), and the Senator from Pennsylvania (Mr. TOOMEY).

Further, if present and voting, the Senator from Arizona (Mr. BOOZMAN), I would have voted "nay" and the Senator from North Carolina, (Mr. TILLIS, would have voted "nay."

The yeas and nays resulted—yeas 52, nays 39, as follows:

[Rollcall Vote No. 197 Ex.]

#### YEAS—52

Baldwin	Hassan	Peters
Bennet	Heinrich	Reed
Blumenthal	Hickenlooper	Rosen
Booker	Hirono	Sanders
Brown	Kaine	Schatz
Burr	Kelly	Schumer
Cantwell	King	Shaheen
Cardin	Klobuchar	Sinema
Carper	Leahy	Smith
Casey	Lujan	Stabenow
Collins	Manchin	Tester
Coons	Markey	Warner
Cortez Masto	McConnell	Warnock
Duckworth	Menendez	Warren
Durbin	Murphy	Whitehouse
Feinstein	Murray	Wyden
Gillibrand	Ossoff	
Graham	Padilla	

#### NAYS—39

Barrasso	Hagerty	Portman
Blackburn	Hawley	Risch
Blunt	Hoeven	Romney
Braun	Hyde-Smith	Rounds
Capito	Inhofe	Sasse
Cassidy	Johnson	Scott (FL)
Cotton	Kennedy	Scott (SC)
Cramer	Lankford	Shelby
Crapo	Lee	Sullivan
Daines	Lummis	Thune
Ernst	Marshall	Tuberville
Fischer	Moran	Wicker
Grassley	Paul	Young

#### NOT VOTING—9

Boozman	Merkley	Tillis
Cornyn	Murkowski	Toomey
Cruz	Rubio	Van Hollen

The PRESIDING OFFICER (Ms. HASSAN). On this vote, the yeas are 52, the nays are 39.

The motion is agreed to.

#### EXECUTIVE CALENDAR

The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Evelyn Padin, of New Jersey, to be United States District Judge for the District of New Jersey.

#### CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant executive clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 915, Charlotte N. Sweeney, of Colorado, to be United States District Judge for the District of Colorado.

Charles E. Schumer, Tina Smith, Christopher Murphy, Tim Kaine, Patrick J. Leahy, Jack Reed, Benjamin L. Cardin, Richard J. Durbin, Brian Schatz, Jacky Rosen, Catherine Cortez Masto, Margaret Wood Hassan, Martin Heinrich, Sheldon Whitehouse, Richard Blumenthal, Christopher A. Coons, Tammy Baldwin.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Charlotte N. Sweeney, of Colorado, to be United States District Judge for the District of Colorado, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant executive clerk called the roll.

Mr. DURBIN. I announce that the Senator from Oregon (Mr. MERKLEY), the Senator from Maryland (Mr. VAN HOLLEN), and the Senator from Virginia (Mr. WARNER) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: The Senator from Arizona (Mr. BOOZMAN), the Senator from Texas (Mr. CORNYN), the Senator from Texas (Mr. CRUZ), the Senator from Alaska (Ms. MURKOWSKI), the Senator from Florida (Mr. RUBIO), the Senator from North Carolina (Mr. TILLIS), and the Senator from Pennsylvania (Mr. TOOMEY).

Further, if present and voting, the Senator from Arizona (Mr. BOOZMAN) would have voted "nay" and the Senator from North Carolina (Mr. TILLIS) would have voted "nay."