

of emergency spending. But experts say as much as \$800 billion or \$900 billion of the money that we have already set aside has not even been spent yet. Eight or nine hundred billion of the money that we have already set aside has not been spent yet. What about a full accounting of the \$6 trillion that has already been approved?

If there are urgent needs for true, medical COVID needs, let's discuss it, and let's start the discussion by talking about repurposing the hundreds of billions that are already sitting in the pipeline.

As one report put it, “[T]he vast majority of almost \$200 billion allocated to K-12 schools has not been spent.” That is \$200 billion. “The same goes for half of the \$195 billion sent out to state governments. And most city and county governments have not spent much of the \$130 billion they . . . received, either.” Many States are swimming in cash and running surpluses. They have had to dream up creative non-COVID-related uses for these windfalls.

So, look, 2 years in, if Democrats call for more giant sums of emergency spending, the burden of proof lies with them to demonstrate that the hundreds of billions of dollars of unspent money already in the system are not sufficient. And unless something changes, so long as COVID continues retreating to the level of risk that we all regularly face in other aspects of daily life, then our leaders' duty to the American people is perfectly clear: Trust the vaccines, follow the data, forget the tribalism, work to assuage people's fears and neuroses with facts instead of feeding into them, and articulate your clear game plan to give the American people back their normalcy in the very near future.

#### UKRAINE

Madam President, on another matter, today, more than 100,000 Russian troops are holding positions along Ukraine's eastern borders. More have been deployed to Belarus to threaten Ukraine from the north. For the second time in a decade, Vladimir Putin's campaign to forcibly redraw the map of the European continent is on the verge of massive escalation.

For those of us who remember the Cold War, this strongman routine from stale Kremlin autocrats is quite familiar. But Ukraine is not a captive nation trapped behind the Iron Curtain; it is a free, democratic, and sovereign European country.

The proper response from the West should not be a mystery. The United States and our allies need to do four things right now.

First, we need to cut through the bureaucratic caution, inertia, and redtape that is slowing the delivery of military, economic, and humanitarian assistance to Ukraine. This help needs to arrive before—before—a Russian escalation so our friends can defend themselves and prepare for what could be a cold and bloody winter.

Ukraine is a proud, independent nation that wants to defend itself, but

after years of combating Russian aggression while simultaneously trying to tackle major political and economic reform, Ukraine needs help. It needs weapons. It needs communications equipment. It needs logistical and intelligence support.

We should be building the logistical networks now to prepare to keep flowing support to Ukraine in the event of escalation. I have been encouraged by the United Kingdom and other allies who are already making serious commitments to this effort.

Second, we need to bolster the defenses of our Eastern European NATO allies most threatened by Russia. This is a decision that the NATO alliance as a whole should make, but if it doesn't, the United States and other partners should not wait for consensus to act. We should strive for unity but not at the expense of security. Our most nervous allies cannot get unilateral veto power over the policy of the greatest Nation in world history.

Yesterday, I was glad to hear that U.S. forces are finally moving to reinforce our eastern flank allies. I urged President Biden to take the step nearly 2 months ago. I hope this belated action will lead other NATO allies to follow our lead.

Third, we need to impose overdue sanctions now—right now—to confront a litany of Russian threats, including their use of energy as a geostrategic weapon. At the same time, let's make clear we are prepared to impose even more devastating costs should Russia continue its aggression.

Again, we may have differences of opinion with parts of Europe, but we have priorities here that run deeper than matching our most timid allies.

As we consider sanctions, we should be honest about our past mistakes. In 2014, the Obama administration and our EU partners tried to use sanctions to halt the conflict, deter further aggression against Ukraine, and compel Russia to comply with the Minsk accords. Those sanctions are still in place, but they failed on all counts.

For Ukrainians, this is not a frozen conflict but an ongoing one. Russia's continued aggression is self-evident. Its Minsk commitments remain unfulfilled. We need to learn these lessons, avoid empty symbolism, and get ready to impose serious costs that could actually change Putin's calculus. But we also know that sanctions alone are not enough. Putin's behavior is a reminder that there is no substitute for hard power. Deterrence is stronger when our enemies question whether their military plans can succeed.

Fourth and finally, we and our NATO allies need to take a hard look at growing security threats and commit to investing in defense capabilities to actually meet those threats. This means revisiting the 2-percent pledge. It means having hard conversations about building real military capabilities.

When the Biden administration abandoned Afghanistan last year, China and

Russia were paying close attention. Now, Russia is testing our resolve in Eastern Europe, and China once again is taking notes. Our adversaries understand their best path to outmaneuver America is to outspend our commitment to defense.

So I hope President Biden will act swiftly to equip our European friends, reinforce our NATO allies, and punish Russian escalation. We must also pay serious attention to equipping the U.S. military for the next threat. It is past time—past time—to invest in modernization, hypersonic weapons, and our nuclear arsenal, and to encourage our European allies to wake up—wake up—follow our lead, and stand side by side against common threats.

The PRESIDING OFFICER (Mr. CASEY). The assistant majority leader.

Mr. DURBIN. Mr. President, I ask unanimous consent that Senators BRAUN, MURRAY, and I be able to complete our remarks prior to the scheduled votes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

#### APPROPRIATIONS

Mr. DURBIN. Mr. President, I want to follow up on the statement made by the Republican Senate leader, and I agree with many of the things he said. We disagree with others. But there is a way for us to show our commitment not only to our troops but to the defense of causes that are important to America, and it is in his hands. It is known as the appropriations bill for the Department of Defense. It is known as the appropriations and budget for the United States of America.

Where are we now? We are on something called a continuing resolution. That means we haven't decided. We can't get an agreement from the Republican leader to move forward on the spending bills for this fiscal year, which began October 1. We are spending at last year's levels when the Biden administration has asked for more money for the Nation's defense, and who is stopping him? The Republican leader.

So he can't have it both ways and argue we need to invest more in the defense of America and then stop us from an appropriations process that does just that. Let's get it done. This should have been done before last October 1, and his cooperation means it can be done now.

Now, let me say there is another aspect to it. Many speeches are given about the rise in crime in America. I know this personally, representing the State of Illinois and the great city of Chicago. The number of violent gun crimes in this last calendar year was just shocking. When you look at all of the people who have been hurt and killed with the use of guns in cities across America, it is clear that we need to invest in our police force and law enforcement. Hold them accountable for the right values and the right conduct, but put in their hands the resources to

protect us in our homes and our neighborhoods.

What is holding that up? The same decision by the Republican leader not to bring any appropriations bills forward for approval by the Congress. This is just mindless. You can't preach on one hand that you want to fund the police and then stop the appropriations process, which the Republicans in the Senate have done.

It is time to pass the Omnibus appropriations bill so the resources are going to ATF and to the U.S. Attorney's Offices and other law enforcement agencies that can help the State and local law enforcement efforts to try to suppress this violent crime.

So don't preach about the need for this money and then turn around and stop the effort here on Capitol Hill. Why aren't we voting on an Omnibus appropriations bill this week? Why? Why can't we get this done next week? It was supposed to be done last October, and it is time for us to do it.

#### UKRAINE

Mr. President, let me say a word about the Ukrainian situation. I feel strongly about this. As the cochair of the bipartisan Ukrainian Caucus, I have followed for years what has been going on in that country. There is one guiding principle that we should acknowledge: The fate and future and decisionmaking for the Ukrainian people should be in the hands of the Ukrainian people—not in Washington, not in Moscow, not in Bonn, not in Minsk, but in Kyiv, and the Ukrainian people across that country should have the right to do it.

The question about their future and their solidarity and defense comes down to the fact that they were invaded 8 years ago by Russia, which took over the Crimean province and then went on to expand their military force, the little green men—the so-called little green men who are just Russian surrogates who are fighting in the eastern part of Ukraine.

Is it any wonder that the Ukrainian people look to NATO and other forces to protect them? They have been invaded. For 7 or 8 years, they have lost thousands of their citizens innocently, who died in defense of their country. For us to stand in defense of Ukraine and their efforts to make their own decisions for their future just makes sense.

Ultimately, we may have theories on what that future should be, but it is their country, they are the people who rule it, and we respect their sovereignty.

I would just say that as far as Vladimir Putin is concerned, I know his style. I have seen it for a long, long time. We see the continuing threats that the Russians have against the Baltics, for example. These are small, independent, democratic countries that fought long and hard for that opportunity, and they are constantly menaced by Vladimir Putin and his Russian forces. The same is true for Poland.

It is important that we stand behind the NATO alliance, and one way to help the NATO alliance is to pass an appropriations bill that would give our resources promised to the alliance to them, instead of being stonewalled as we have been by the Republican leadership on that matter. It is long overdue that we get to that question.

#### E-CIGARETTES

Mr. President, I am glad that Senator MURRAY is on the floor because the issue I want to raise now is one that she knows well, and I thank her for her leadership.

A little bit of history. In 1964, an advisory committee headed by the U.S. Surgeon General issued a landmark report linking cigarette smoking to lung cancer, heart disease, and other deadly diseases—1964. That was considered to be breakthrough information, that tobacco actually caused cancer.

For decades after that, big tobacco companies denied it. They continued to lie to Congress and to the American people about the products they were selling. Tobacco companies knowingly lied to America when they claimed their products didn't cause cancer and weren't addictive, and they lied when they said they weren't targeting children with their products.

We know they lied because a trove of 14 million internal industry documents that finally were made public in 1998 as part of the settlement of a lawsuit in Minnesota showed what the five major tobacco companies actually knew when they were making public denials.

These same documents provided damning evidence against Big Tobacco in a historic lawsuit brought by attorneys general from 46 States. Let me read you some of the things that executives of Big Tobacco said about children and smoking in their own internal memos they thought would never see the light of day:

A 1981 report by Philip Morris, creator of the Marlboro Man, said: “[T]he overwhelming majority of smokers first begin to smoke while still in their teens. . . . The smoking patterns of teenagers are particularly important to Philip Morris.”

“[T]he base of our business is the high school student.” That is from a 1978 memo from the makers of Newport cigarettes.

This is from R.J. Reynolds, the brains behind the cartoon character Joe Camel. Here is what the document said: “The fragile, developing self-image of the young person needs all the support and enhancement it can get. Smoking may appear to enhance that image.”

“Replacement smokers”—those were the repugnant words used by Big Tobacco executives to describe our kids, America's teenagers. If you can hook them young, you will have them for life—that was their game plan.

All of the tobacco industry's deadly deception about kids and tobacco was supposed to stop.

In 2009, Congress passed a landmark law giving the Food and Drug Adminis-

tration the clear authority and responsibility to regulate tobacco products. That was something Big Tobacco had fought for decades, but they lost. The Tobacco Control Act requires tobacco companies to obtain FDA approval for any new tobacco products. In a specific effort to discourage young people from smoking, the law also bans most flavored cigarettes because of their clear role in hooking kids.

When it comes to traditional cigarettes, we have made amazing strides in the time that I have served in Congress. Twenty years ago, nearly 30 percent of high school kids were smokers of cigarettes; today, fewer than 5 percent.

But tobacco companies didn't take this lying down. They came up with new products to hook kids: e-cigarettes, vaping, little gadgets that turn nicotine-spiked liquids into a vapor that is inhaled. It is powerful stuff. One pod of vaping liquid can contain as much nicotine as a whole pack of cigarettes.

They came up with flavors to entice children. Tell me—they deny it, but listen to the names of these flavors and see if they were made for kids or adults: Gummy Bears, Cotton Candy, Unicorn Poop, Fruit Loops, Skittles, Sweet Tarts. Come on. We know what this is all about. They are enticing kids to take up vaping and e-cigarettes, and it worked.

In 2014, e-cigarettes became the most popular tobacco product used by our kids. Today, nearly 30 percent of all high school students are vaping. The e-cigarette industry is now worth billions of dollars.

Who are the biggest players? Hang on tight. JUUL is the No. 1 seller of e-cigarettes. Altria, the largest seller of traditional cigarettes, bought a 35-percent stake in JUUL—Altria, buying 35 percent of JUUL. Vuse is the second largest seller of e-cigarettes. It is made by R.J. Reynolds, the producer of the Camel cigarettes, which caused my father's lung cancer. R.J. Reynolds is the second biggest seller of traditional cigarettes.

Do you see any patterns here? We all knew that Big Tobacco would try to find new ways to addict children on their deadly products. They never quit, which is why the Tobacco Control Act allowed the FDA to establish authority over e-cigarettes. But what we didn't expect was that the Food and Drug Administration would sit back as Big Tobacco dusted off its playbook to ignite what one former FDA Commissioner called “an epidemic of youth vaping” in America.

For years, teachers warned about kids using JUULs in the classroom. Parents found devices that looked like flash drives in their kids' backpacks. Even kids themselves warned about the highly addictive nature of e-cigarettes.

Many of us in the Senate demanded that the FDA take action. Senator MURRAY, the chair of the HELP Committee, has been one of the leaders of