

the gas tax which pays for all the infrastructure that we travel on in this country and which would leave a huge hole, obviously, in the highway trust fund, which is critically important to every State in the Union that depends upon the Federal Government and the highway trust fund and the fuel tax—to fund the infrastructure that enables our economy to move and keeps us competitive in the global marketplace. That is their solution.

Now, it is short-term—short-term, obviously to benefit—to try to gain some political advantage at a time when people, all of a sudden now on the other side, are starting to worry. Efforts are being led by four Democrats who are up for reelection this year. No surprise there because they have understood now what we know, and that is the American people are fed up and frustrated—fed up and frustrated with policies that are driving up the cost of everything that they have to buy, from the groceries in the store, to the rent that they pay, to the gas they put in their automobiles. Everything is going up.

Energy factors into almost everything we do. A pound of hamburger that you buy at the grocery store probably had to get there from somewhere, unless you live in the middle of the country where some of us do. But if you live on one of the coasts, you probably had to have transportation to get it to the destination, so it is factored in—it is baked in the cost of everything. When fuel prices go up, natural gas prices go up, when the cost of energy generally goes up, everything else goes up with it. It is economics.

The solution isn't a short-term political ruse to try and provide political cover to people who are running for reelection. It is to put policies in place that encourage American energy independence, that invest in American energy. That can be done in ways now with technologies we have that are environmentally friendly.

But we have to be energy independent. We can't depend upon other countries around the world that are unreliable to fuel and fund and run our economy. That investment should be here in the United States of America. And if we solve more of that, we would see less inflation, lower fuel prices.

If we end the crazy spending ideas and tax ideas coming out of the other side, we could restore some sanity to this country when it comes to these out-of-control prices, which is a tax, literally, on every American and hits particularly hard those who are struggling to make ends meet.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

NOMINATION OF ROBERT MCKINNON CALIFF

Mr. MARKEY. Mr. President, I rise today to speak in opposition to the nomination of Dr. Robert Califf to lead the Food and Drug Administration.

For more than two decades now, the United States has suffered a dev-

astating epidemic of opioid use disorder, overdoses, and deaths. Since 1999, almost 1 million Americans have died of drug overdoses, with the vast majority of those deaths attributable to opioids.

As our country continues to deal with the COVID-19 pandemic, we must remember and prioritize this other deadly public health emergency.

In 2020, overall drug overdose deaths reached an alltime high for the year, with approximately 93,000 Americans losing their lives. More than 60 percent of those deaths were from synthetic opioids like fentanyl. That is a staggering 69,000 Americans dead from an opioid-related overdose—more than gun violence, more than car accidents, more overdose deaths than ever before in our history.

We cannot let the tragedy of COVID-19 overwhelm the daily suffering of the opioid epidemic. Sadly, for the scourge of opioid misuse and overdose in our country, there is no vaccine.

My home State has been hit especially hard. In Massachusetts, more than 2,100 residents died from an opioid overdose in 2020—a 5-percent increase from the previous year—and many more struggled with opioid use disorder. Early data from 2021 shows this unfortunate trend continued through the first 9 months of last year, where 1,613 people died in Massachusetts from opioid overdoses.

We cite these numbers with outrage and disbelief, but for impacted families and loved ones, it is an ever-present mourning for lost opportunities, futures gone too soon, and unanswered questions: all the while, for each and every community, there is the growing challenge still to be addressed.

In Congress, my colleagues and I have worked to respond to this crisis, passing several bipartisan packages—the Comprehensive Addiction and Recovery Act, CARA, and the SUPPORT Act to help bring relief to our communities.

I am proud several pieces of legislation I authored to fund and expand opioid use disorder prevention and treatment programs became law in those packages. Those investments are important, and we must continue to build on them, but we cannot forget how we reached this epidemic in the first place or we are doomed to repeat it for those families.

Those failures started at Big Pharma and were aided and abetted by the Food and Drug Administration. The FDA is supposed to be our Nation's pharmaceutical gatekeeper, but over many years, it repeatedly rubberstamped new prescription painkillers that increased the risk of misuse and dependence.

As evidence of the deadly harm those opioids caused became clear, the FDA did almost nothing. It acted too slowly to remove them from the market, to limit access to those supercharged opioids.

What started as an OxyContin pre-

scription for back pain became full-blown dependence on heroin for countless Americans. Even well into the crisis, the FDA continued to approve powerful new opioids, either over the express objections of its own advisory committees or without convening an advisory committee at all. The FDA became the country's biggest pill pusher, and Big Pharma made billions in profits.

The Nation's pharmaceutical watchdog became the Nation's pharmaceutical lapdog, and the country became the "United States of Oxy." I consistently raised concerns about the FDA's egregious mishandling of opioid approvals when Dr. Califf was first nominated to be Commissioner in 2015.

At that time, I opposed Dr. Califf's nomination until the Agency took steps to rescind approval for pediatric OxyContin—yes, OxyContin for kids. I demanded the FDA commit to impanel advisory committees for all opioid regulatory decisions and consider public health factors in opioid regulatory decisions, in particular the impact of new opioids on opioid misuse and dependence.

When the FDA did attempt to address its failures in regulating opioids after strong criticism from me and many of my colleagues, Dr. Califf and Dr. Janet Woodcock requested a National Academy of Sciences study of FDA's policies for evaluating opioids—not a major step but at least an effort to recognize its participation in the epidemic.

That study emphasized many of the efforts which I urged Dr. Califf and the FDA to undertake back in 2015; in particular, the need to include public health factors at every level of FDA regulation of opioid drugs. But to date, the FDA still has not implemented many of those recommendations. And where it has taken steps to do so, it has not gone far enough to address its past failures.

There was no real commitment to reforming the FDA or to learning from the mistakes that enabled this public health crisis.

At this point, the opioid epidemic has evolved from being driven by prescription drugs to being fueled by the illicit synthetic opioids, like fentanyl. But that does not dismiss the FDA from accountability or the need for reform.

When I met with Dr. Califf last year, I asked him to commit, if confirmed as FDA Commissioner, to finally change FDA's processes to ensure it does not make the opioid overdose epidemic worse than it already has. During our meeting, Dr. Califf did not commit to the decisive and comprehensive action which we need.

After years of Agency failures and in the midst of a worsening opioid epidemic, we need FDA leadership that is fully committed to using all of the Agency's oversight authority to protect public health.

I cannot support Dr. Califf's nomination in light of that critical mandate which we need. We need a leader at the

FDA who will center public health and implement reforms to its review of opioids.

And, specifically, we need the FDA to conduct a full, comprehensive review of approved opioids as the National Academy of Sciences study recommends. We need to finalize strong rules for opioid approvals that require analysis of the impact of new drugs on opioid dependency and misuse. And the FDA needs to be aggressive in mitigating the risks of approved opioids by requiring robust prescriber education on opioids and performing regular, formal reviews of approved opioids.

These are not all the steps that must be taken, but with these, we can at least be sure that we are on the road to opioid misuse disorder reform; that there won't be another FDA green light in front of it.

Here in the Senate we must also commit to doing more to addressing the opioid overdose epidemic. Prescription opioid medications still lack a clear, concise, and consistent warning label informing patients of the risks of the drug for dependence and misuse.

Some physicians still lack the education and tools necessary to identify and help patients with substance use disorders. And, critically, treatment remains inaccessible and stigmatized for many people in need, especially those ensnared in the criminal justice system.

We have to pass legislation to address these concerns, and I stand ready to work with my colleagues. I recently introduced legislation with Senator RAND PAUL that would modernize the outdated and burdensome Federal regulations on methadone, one of the most effective forms of treatment for opioid use disorder.

We can do a lot. And working with Senator COTTON, I worked to promulgate and now we need to implement the recommendations of the Commission on Combating Synthetic Opioids Trafficking, and we need to do that this year.

We need leaders in all branches of the Federal Government to bring this aggressive, intentional approach to their work, if we have any hope of ending the epidemic of opioid overdose deaths.

Dr. Califff is simply not that person for the FDA, and I will vote no on his nomination.

The PRESIDING OFFICER. The Senator from Virginia.

#### UKRAINE

Mr. WARNER. Mr. President, I rise today in response to Russia's alarming and impending threat toward its neighbor, the independent nation of Ukraine.

As we speak, Vladimir Putin continues to ready more than 100,000 soldiers, tanks, artillery, aircraft, and missiles along Ukraine's border.

To Ukraine's north, in Belarus, Russia has positioned tens of thousands more troops, nominally, as part of a military exercise. To Ukraine's south, Russian ships are amassing in the Black Sea.

Propaganda and disinformation are on the internet and on Russian TV channels as part of the Russian playbook we now know very well.

The Kremlin's intent is to manufacture a pretext for its aggression and sow divisions in the West. Russian troops already occupy vast tracts of Ukraine in Crimea and continue a "low-grade" war in eastern Ukraine, a war initiated by Mr. Putin that has cost already over 14,000 lives. Ukrainian soldiers have been bravely fighting and dying to protect their country from what has been naked aggression from Russia.

We hear—even from Ukrainian leadership—that their forces would face an unequal fight in a full-scale Russian invasion and, unfortunately, probably couldn't help but be outnumbered and overwhelmed.

And while Moscow has amassed the largest concentration of military forces seen in Europe since the end of the Cold War, it continues to make shrill accusations that it is not Ukraine but somehow Russia that is under threat, all the while making demands that Ukraine never join NATO or control its own destiny.

Even as he threatens war with Ukraine, Mr. Putin demands to be treated as head of a normal government. He thrills at being given one-on-one meetings with other world leaders or being invited to diplomatic fora. He rails that Russia has been unfairly singled out for sanctions.

He demands respect, even as he lays out a thesis denying that Ukraine is—or ever was—a country with its own traditions, language, aspirations, or sovereignty.

What Mr. Putin really fears is that if Ukraine succeeds in building a nation where Ukrainian speakers and Russian speakers have genuine freedoms, can vote in free elections and control their own destiny—if that happens, then maybe Russians may start to wonder why they have to live in a country where Putin has practically made himself President for life, eligible to stay in office until 2036, where questioning the endemic corruption of the Russian state, trying to run a business without paying off officials, or even expressing an opinion can lead to detention, trumped-up charges, or, as we have too often seen, even death from a military-grade nerve agent.

Mr. Putin fears that Ukraine could prove to be a model of what Russia could become without his kleptocratic regime. Mr. Putin says he feels threatened by NATO. He wants to go back to the good old days, when the USSR held Eastern Europe—including Ukraine—in its iron grip. So he has decided to seize chunks of Ukrainian territory and unilaterally change Europe's borders.

Now, this isn't a new position for Putin. It reflects a long-held view. In 2005, he called the fall of the Soviet Union "the greatest geopolitical catastrophe of the 20th century."

In 2008, he invaded Georgia. When Russian troops seized control of Cri-

mea, he sent in his "little green men" and adopted his doctrine of hybrid warfare. He felt unconstrained to send agents of the Russian state to assassinate those he sees as his enemies, whether in Kyiv or London or Berlin or Sofia or Vienna.

And he has built up his arsenal and threatened his neighbors. Putin, as we know and have read about, has crushed even the slightest hint of political opposition at home in Russia—all of this while wanting to be seen as a victim and as the leader of a normal participant in the community of nations. These actions are not and cannot ever be accepted or acceptable by the civilized world.

So what can the United States and the West do? President Biden and other Western leaders have undertaken the right approach offering Putin multiple diplomatic off-ramps—as recently, again, as the visit by the German Chancellor this week—and a dialogue about Russia's exaggerated fears regarding European security.

Nobody wants a military conflict between two nuclear powers so the President has clearly stated that U.S. troops are not being sent to Ukraine to fight Russia.

At the same time, President Biden has made it extremely clear that if Russia rejects this diplomatic path and conducts further aggression against Ukraine, there will be a heavy price to pay. Russia will face the immediate imposition of strong, robust, and effective sanctions—including sectoral sanctions against its banking and financial system as well as stringent export controls that will damage Russia's economy.

At the same time, while we do not want to ensure that there are any miscalculations or an unintended escalation, the United States and European nations have increased their supply of defensive weapons to Ukraine to ensure that Putin knows that any invasion will impose costs on the Russian military. Mr. Putin may find that if he invades, he may not find the going so easy.

Ukrainians do not want to be part of Russia, especially at the point of a gun. As someone who has argued that Russia and Ukraine are one fraternal people, it will be difficult for Putin to explain why Russian soldiers are dying while trying to kill their Ukrainian brothers.

As a major part of his policy, President Biden has endeavored to keep NATO together and unified since one of Putin's major goals is to undermine that unity. The administration's approach is, frankly, significantly different from the previous President in this country, who undermined the transatlantic alliance, questioned the very need for its existence, and took every opportunity to weaken the shared bonds that have kept peace in Europe since World War II.

President Biden, though, has put thousands of U.S. forces on standby