

and has deployed U.S. forces to NATO's eastern flank. I saw some additional troops from the 82nd heading over to Poland even as we speak. Now, again, these movements are not to inflame the situation but to ensure that there is no mistake about our commitment to NATO's collective defense, our willingness to defer aggression, and to make sure that we continue to bolster this critical alliance. The truth is, it is not just Americans. Other NATO members have agreed and are sending military forces to its eastern border to ensure that Putin knows that the alliance stands united.

Let us be very clear on who the aggressor is in these provocations. The eyes of the world have been on Vladimir Putin and Russia, as he has initiated a steady and deliberate buildup of Russian forces and military assets, as I mentioned earlier, to the north, east, and south of Ukraine, and he has rebuffed multiple diplomatic overtures to deescalate the situation. Through media reporting, satellite imagery, and intelligence shared by our government and by the British Government, much of Putin's incitement has been out in the open for all to see.

It is as clear today as it will be through the lens of history that this march of aggression has been led by one man, and that is Vladimir Putin. But it is important for Putin to know it is not too late to back down from this foolish and destructive course of action. Even at the eleventh hour, diplomatic avenues remain very much open. Putin can still choose against leading further aggression and invasion that would have the opposite effect from what he imagines.

While there have been some reports in the media that he may be moving, we have seen no clear efforts. This is clearly a case that we will believe what the Russians do, not what some of their leaders say, because if Putin does invade, he will have unleashed a tragedy not just for Ukraine but for the Russian people. Putin will rightly have earned the enmity of all free nations and people everywhere, and Russia's economy and citizens will suffer.

I want to be clear. In the event of an unwarranted, unjustified, and illegitimate attack on Ukraine, the United States will stand with the people of Ukraine. Russia will become a pariah nation, a rogue state. The legitimacy of Putin's regime will be significantly undermined. And the NATO alliance that Putin worries so much about? It will be reinvigorated to fulfill the mission it was created for: as a defensive alliance against Soviet or, now in the 21st century, Russian aggression.

I urge President Putin to choose the right path. Deescalate tensions. Don't just talk about deescalation but actually deescalate. Engage in a real and honest diplomatic process, and end any plans leading towards a violent confrontation in Ukraine. By doing this, he would ultimately spare Russia the crippling economic consequences that

would be necessitated by his aggression.

I also say, I was very proud yesterday, when the administration briefed the bipartisan leadership of all the committees that are dealing with this potential invasion, to see the broad and bipartisan support behind standing with the people of Ukraine and the message that should Putin take these actions, the level of sanctions that we will impose upon him and his economy will be unprecedented.

I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

Mr. DAINES. Mr. President, I ask unanimous consent that Senator BURR and I be permitted to speak for up to 5 minutes each prior to the vote.

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

NOMINATION OF ROBERT MCKINNON CALIFF

Mr. DAINES. Mr. President, I rise in opposition to the Biden administration's nomination of Robert Califf to be the FDA Commissioner.

As FDA Commissioner during the Obama administration, Mr. Califf showed blatant disregard for the unborn and for the health and safety of women and girls when he weakened safety and reporting requirements for a dangerous chemical abortion drug.

In fact, this past December, the Biden administration went further and announced it would eliminate entirely the in-person dispensing requirement for the abortion drug. This very reckless decision promotes mail order, do-it-yourself abortion-on-demand and disregards the growing threat to women's health posed by chemical abortion drugs. For example, without physician in-person screening, women are denied the opportunity to be screened for dangerous conditions like ectopic pregnancies, which can cause life-threatening complications.

Mr. Califf has refused to distance himself from the FDA's decision to abandon vulnerable pregnant women to the reckless and predatory actions of the abortion industry. Mr. Califf has a track record of putting an extreme abortion agenda above the science.

The nomination of Robert Califf to be FDA Commissioner endangers the well-being of unborn babies, women, and girls, and I urge my colleagues to join me in opposing his nomination.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. BURR. Mr. President, I actually rise today to support Bob Califf and to say to my colleagues there has been a lot of criticism as to what he has done. I have never seen an FDA Commissioner, in 9 months of service—that was the length of his time at the FDA—who accomplished anything, much less as many negatives as have been raised.

But as the ranking member of the HELP Committee and as a fellow North Carolinian, I would like to share with my colleagues that Dr. Califf is a su-

premely qualified nominee with bipartisan support. He has the robust agency and private sector experience needed to help build on the success of the FDA in helping Americans get back to normal life with the approval of tests, vaccines, and therapeutics that are bringing the pandemic to an end.

He is the leader we need today but also for the future. Now, let me take a few moments to explain why.

It has been 391 days since the FDA has had a Senate-confirmed Commissioner—391 days. No matter how effective and successful an Acting Commissioner can be—and we have been blessed with Janet Woodcock's leadership—the full backing of a Presidential nomination and confirmation by the U.S. Senate carry a weight that allows a confirmed Commissioner to push forward necessary, meaningful change and leadership within a Federal Agency.

There has never been a more critical time for the FDA to have effective leadership. While the FDA has long played a leading role in the lives of the American people, regulating 20 cents of every dollar of the U.S. economy, the COVID pandemic brought the actions of the FDA during the response to the dinner-table conversation of every family in this country.

In the 391 days since our last confirmed Commissioner stepped down, there have been two new, serious variants of the COVID virus; case counts that topped 1 million per day; shortages of vital therapeutics and diagnostic tests; and, tragically, the loss of hundreds of thousands of American lives. The FDA has and will continue to play a leading role in our response to a once-in-a-century pandemic.

The Agency's unprecedented work helped innovators bring forward countermeasures, tests, treatments, and vaccines that have helped us withstand and fight against the virus and instill hope in Americans in some of the darkest moments of the pandemic. The FDA has made significant progress to advance medical product development.

As new cases continue to slow and spring approaches, we are at what I am hopeful is an inflection point. Mask mandates are lifting, children are back in school, and the FDA is ready to move into the next phase of the response that will hopefully bring us back to normal. The FDA needs a leader who will not lose sight of the progress it has made.

The silver lining of COVID has been its ability to show the value of American innovation and ingenuity. No one understands that better than Dr. Califf. His expertise at translational science means that he understands what it takes to transform an idea from a research bench into a real solution for patients.

COVID catalyzed the FDA and the private sector to compress the timeline of the transformation without—with-out—sacrificing our world-renowned gold standard for safe and effective

medical products. Platform technologies were developed through programs like Operation Warp Speed and RADx that put us leaps and bounds ahead. These types of technologies are force multipliers, allowing us to bring new options to patients with cancer, infectious diseases, and life-threatening conditions by adapting the same underlying technology. We need a Commissioner who understands and will advance these breakthroughs.

I urge my colleagues, support Dr. Califf's nomination because he will provide the leadership needed to promote today's biomedical advancements and help to pave the way for tomorrow's innovation.

As many know, I have been one of the FDA's toughest critics over the years. However, I am critical because I believe in the Agency's mission, and I know that American patients pay the price if the FDA falls behind.

The FDA has an opportunity to be forever changed for the better, but it needs effective leadership to get there. Dr. Califf knows the Agency well, understands the value of innovation underway in academia, and knows firsthand how the private sector is advancing cutting-edge science that can benefit all Americans.

I urge my colleagues this morning to support the nomination of Robert Califf.

I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. MANCHIN. Mr. President, I rise in opposition to Dr. Califf, and I have spoken before on this. I just want to say this for a minute or two here.

I respect everyone's position on this and their decision, but I have never had anything that has affected my State and constituents in my State and our country more than the opioid addiction.

This opioid addiction started because of the FDA's decision to bring a product to market in 1995 that has destroyed many families, many communities, many businesses, people's lives forever. In story after story—there is not a Senator in this body who doesn't have someone in their family, immediate family or extended family, or a constituent who hasn't been affected.

With that, you need to change the dynamics of the leadership over there. Dr. Califf was there 5 years ago. He is coming back. Nothing has changed. Four hundred thousand people have died since he was there, and we are going down the same path.

Unless we change that dynamic, that leadership position on trying to protect the people of America without putting more and more horrible drugs on the market—there was one drug back in, I think it was 2014, 2013 or 2014, called Zohydro, and the advisory committee recommended 11 to 2: Do not bring this drug to market. They did it anyway. It was 11 to 2, don't do it. These are experts. They said two pills can kill a human being. They brought it continu-

ously. They continue to bring more opiates to the market.

We don't need this product on the market to kill more Americans. This Administration, under Robert Califf, will take the same old, same old as they did before. Nothing will change.

I urge all of my colleagues, please consider what you are doing. Consider your family and your constituents and please vote against Robert Califf.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I ask unanimous consent to speak for 1 minute before the vote.

The PRESIDING OFFICER. Without objection.

Mrs. MURRAY. Mr. President, I urge all of my colleagues to give families across the country the peace of mind and give the hard-working staff at the FDA the experienced, Senate-confirmed leadership it needs by joining me in confirming Dr. Califf today and working with him and FDA to continue protecting families across our country, upholding the gold standard of safety and effectiveness, and putting science and data first.

We previously confirmed Dr. Califf in this role in a bipartisan way, and we recently advanced his nomination out of the HELP Committee with bipartisan support. So I hope today, once again, this qualified nomination passes with the bipartisan support it deserves. I yield the floor.

#### EXECUTIVE CALENDAR

The PRESIDING OFFICER (Mr. MURPHY). Under the previous order, the Senate will resume consideration of the following nomination, which the clerk will report.

The bill clerk read the nomination of Robert McKinnon Califf, of North Carolina, to be Commissioner of Food and Drugs, Department of Health and Human Services.

#### VOTE ON CALIFF NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Califf nomination?

Mrs. MURRAY. 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 New Mexico (Mr. LUJÁN) is necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from West Virginia (Mrs. CAPITO) and the Senator from South Carolina (Mr. GRAHAM).

The result was announced—yeas 50, nays 46, as follows:

[Rollcall Vote No. 55 Ex.]

YEAS—50

Baldwin	Blunt	Brown
Bennet	Booker	Burr

Cantwell	Kelly	Schatz
Cardin	King	Schumer
Carper	Klobuchar	Shaheen
Casey	Leahy	Sinema
Collins	Menendez	Smith
Coons	Merkley	Stabenow
Cortez Masto	Murkowski	Tester
Duckworth	Murphy	Toomey
Durbin	Murray	Van Hollen
Feinstein	Ossoff	Warner
Gillibrand	Padilla	Warnock
Heinrich	Peters	Warren
Hickenlooper	Reed	Whitehouse
Hirono	Romney	Wyden
Kaine	Rosen	

#### NAYS—46

Barrasso	Hassan	Portman
Blackburn	Hawley	Risch
Blumenthal	Hoeven	Rubio
Boozman	Hyde-Smith	Sanders
Braun	Inhofe	Sasse
Cassidy	Johnson	Scott (FL)
Cornyn	Kennedy	Scott (SC)
Cotton	Lankford	Shelby
Cramer	Lee	Sullivan
Crapo	Lummis	Thune
Cruz	Manchin	Tillis
Daines	Markey	Tuberville
Ernst	Marshall	Wicker
Fischer	McConnell	Young
Grassley	Moran	
Hagerty	Paul	

#### PRESENT AND GIVING A LIVE PAIR—1

Rounds, against

#### NOT VOTING—3

Capito	Graham	Luján
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Mr. ROUNDS. On this vote, I have a pair with the junior Senator from New Mexico, Mr. LUJÁN. If he were present and voting, he would vote yea. If I were permitted to vote, I would vote nay. I, therefore, withdraw my vote.

The PRESIDING OFFICER (Ms. SINEMA). On this vote, the yeas are 50, the nays are 46, and one Senator responded "present."

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.

#### RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 1:13 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Ms. BALDWIN).

#### EXECUTIVE CALENDAR—Continued

The PRESIDING OFFICER. The senior Senator from Kansas.

#### POSTAL SERVICE REFORM ACT

Mr. MORAN. Madam President, I rise this afternoon to express my support for the Postal Service Reform Act, a piece of legislation that we expected to be on the Senate floor this week and look forward to it appearing shortly.

The U.S. Postal Service has been struggling to stay financially solvent for years, and I am pleased Congress is finally—I say "finally." I think for as long as I have been in the Senate and perhaps as long as I have been in Congress, we have been working to address