

CRIME

Mrs. CAPITO. Madam President, I rise today to discuss yet another one of the consequences of this President's failed policies, and that is out-of-control crime.

Many Democrats have championed a soft-on-crime agenda that has contributed to soaring crime rates.

According to the Major Cities Chiefs Association, since 2019, violent crime is up 26 percent, aggravated assault is up 34 percent, and homicides are up a staggering 43 percent. This is not only unacceptable, it is terrifying. Repeated calls to defund the police, for open borders, and reduced sentencing or bail requirements have led to a crime increase so overwhelming that America's fear regarding crime in their communities is at a 50-year high.

Though President Biden bears ultimate responsibility here, in many ways he is following the direction of his party when it comes to crime. We have seen a lack of leadership from the White House, an overly politicized Department of Justice, and district attorneys who refuse to prosecute crimes.

The Biden administration has insisted on nominating radical, soft-on-crime advocates to Federal judgeships. While this is an utter disregard for law and order, it is deeply concerning, and it is a trend that we have seen over the last 2 years.

Despite previous efforts to defund the police, my colleagues on the other side of the aisle are now walking back their claims that less law enforcement makes us safer. As many Democrat-led cities across the country heeded these calls, the United States experienced the biggest rise in murder since the start of national recordkeeping in 1960.

On top of this, we are experiencing record numbers of police officers who are quitting their profession or they are heading for retirement. Seattle has lost more than one-quarter of its police force in the last 2½ years. Just a short drive from here in DC, in Fairfax County, VA, their police chief declared a personnel emergency and staff shortage last June and installed mandatory overtime to keep their communities protected. Small communities across this country have seen their entire police force quit all at once. And perhaps very alarming, the New York City Police Department saw 3,701 police officers retire or resign in 2022. That is the most since 9/11.

My small State of West Virginia, my home State, is not exempt from these challenges as well. In 2021, the Morgantown Police Department began dealing with a 20-percent reduction in staffing. Our police chief said this was due to the danger associated with being an officer and an overall growing stigma of officers being aggressive or biased. The West Virginia University Police Department is experiencing a similar shortage, with a turnover rate that is still much higher than it was previous to the pandemic.

I live in Charleston, WV. The Charleston Police Department has been

offering large financial incentives to attract officers they desperately need. And the pride of West Virginia, our West Virginia State Police, continues to struggle to keep our State troopers.

We rely on our police for a multitude of services and protection, and in this era of out-of-control crime, we cannot afford to see these shortages continue.

On top of all this, the border crisis continues to fuel the fire of crime and spread illicit narcotics in our communities. Last year, we seized almost 15,000 pounds of fentanyl at our border. Well, in this first quarter, we have already seized 12,500 pounds just this fiscal year. That is only in a quarter of a year.

I see the ramifications of Biden's border crisis in my State, which is disproportionately impacted by the fentanyl and addiction crisis. In 2022, we sadly lost 1,135 West Virginians to overdoses. We have the highest rate of overdose deaths per capita of any State in the Union. There were 6,916 emergency room visits related to overdoses, with our EMS teams responding to another 9,205 suspected overdose calls.

Last week, in Wheeling, WV, local prosecutors indicted drug traffickers who served as "one of the largest suppliers of illicit substances to West Virginia," according to our U.S. Attorney's Office in the Northern District. And I congratulate Bill Ihlenfeld, who is the U.S. attorney in that office.

There was an original drug bust last October that recovered approximately 75 pounds of cocaine, 19 pounds of methamphetamine, and 5 pounds of fentanyl, which is very lethal in very small doses. Investigators found that these traffickers had drugs shipped from the U.S.-Mexico border to Ohio via tractor-trailer or they used cash payments to give to people who flew from California to the Pittsburgh International Airport. The connection between the crisis at our border and the drug epidemic we are seeing at home doesn't get any clearer than that.

Here in our Nation's Capital, amid surging violent crime and police shortages, DC's City Council is attempting a dangerous and irresponsible rewrite of their criminal code. Reducing the penalties for violent crimes—carjackings, robberies, and even homicides—as these numbers rise is incredibly tone deaf to local calls for increased safety and policing. This is happening right in the President's backyard.

So I commend my colleague Senator BILL HAGERTY from Tennessee for introducing a resolution of disapproval to block the DC City Council's dangerous and irresponsible Revised Criminal Code Act of 2022 from taking effect. The DC City Council's legislation is the complete opposite of what we need to control this out-of-control crime.

While I have been talking about concerns for the types of crimes we can see, there are also increasing threats from crimes that could be described as

unseen. These threats emphasize the vulnerability of our children as recent years have pushed their lives into an increasingly digital space. Because of the pandemic, children are learning digitally and have more access to devices than ever before, putting them at an increased risk for luring, grooming, and exploitation.

The data here is incredibly disturbing. One in twenty children will experience some form of sexual abuse before the age of 18. That statistic increases for young girls, with one in five experiencing some form of sexual abuse before the age of 18. Ninety percent of child abuse victims know their abusers, and 60 percent of child sexual abuse victims never tell anyone.

Well, I am a mother of three and a grandmother of eight now, and this is incredibly upsetting to me. We must safeguard our children from things that no child should ever have to experience.

So I would tell President Biden: I hope these statistics are a wake-up call.

Now more than ever, American families are asking for law and order in their communities and peace of mind in their neighborhoods. We as Republicans stand ready to continue our push for solutions that make our country safer and a stronger place to live.

I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. BRAUN. Madam President, I ask unanimous consent to let these comments be made before the vote, and I will keep them brief.

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

Mr. BRAUN. Madam President, yesterday, I spoke about a new law passed by the DC City Council. This law lowers penalties for crimes like carjacking and robbery. Thankfully, Congress is stepping in to stop this legislation.

DC, Washington here, should be an example of our American ideals. Sadly, it is becoming an example of the crime we are experiencing across the country in our larger cities. In Chicago, the Midwest, there are new records being broken in the wrong way each week, in New York, and even in places like my State capital of Indianapolis. It should be a wake-up call to crack down. Yet city governments keep going the other way.

The first priority of any government should be the safety of its citizens, especially at the local level, where you live each day. We know a big part of this is not about the laws we have. We have a lot of laws on the books. They are not enforced. In my State capital of Indianapolis, I have a prosecutor who will not enforce those laws, and even in the heart of our country, the Midwest, you have the same issue.

I guess the most disturbing part of all of this is the hatred for our police. They place their safety at hazard to protect ours. Too often, they pay the ultimate price in doing so.

(The remarks of Mr. BRAUN pertaining to the introduction of S. 459 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. BRAUN. Madam President, we lost a Hoosier recently who spent 7 years fighting ALS. I was proud here, along with Senator COONS, to start the ALS Caucus. ALS is one of those diseases, when you are diagnosed with it, for which there is not a very good prognosis—3 to 4 years, maybe, sometimes.

Corey Polen from Indiana was able to stretch it out to 7 years and fought valiantly along the way. He was involved in trying to take his cause and help others. Currently, there is no cure, and there is severely limited access to treatment options.

Since I have been here, I have been trying to reform healthcare in general. That is a task when you have one side of the aisle that doesn't think there is anything to do there or isn't interested in it and the other side maybe wanting to have more government when I think we need to reform it in an underlying way and make it more transparent, more competitive, and remove barriers to entry so that you have doctors and nurses wanting to come into the profession.

Let's take this commonsense part of it. This is a disease, along with several other diseases, for which, once you are diagnosed, you do not have time, and you are beset by a cumbersome process that keeps people from getting into and even staying in treatment. We need to fix that to where, through the Promising Pathway Act, which I have had out there and which is gaining stride, we need to make an exception for those ailments that have treatments in progress and where the individuals suffering from them are willing to take the risk. They want to do that because there is no other option, especially when there are promising treatments that you are working with.

In Corey's case, his journey began in October 2015. He was hiking with his wife Jennifer in Arizona. On that hike, he kind of hurt his ankle and noticed more. He then returned to his hometown and wanted to look into it further. That is when he got that bleak diagnosis.

All along the journey, as his condition was getting worse, he was out there to help others with it. His main goal for us here in Congress was for us to get something like the Promising Pathway Act across the finish line, which would give hope to him and to all of the others with similar diseases who are frustrated by the fact that we can't move quickly enough, especially when there is stuff in the works that looks like it is going to be someday, if not a cure, at least a mitigation to the disease. We weren't able to get that done.

I would ask my fellow Senators and someone else in the House to carry it. We need to get this across the finish line. A panel of FDA advisers voted 7 to

2 that there was enough evidence to do something different. That gave hope to people like Corey and others that something would get done, but it hasn't happened. We have this under our own control to get it done, and it is well past time to get it done.

I have been here going on now into my fifth year, and we have been dragging our feet. I am going to roll up my sleeves and get it done, and we are going to keep pursuing this effort through our ALS Caucus. Senator COONS and I have done it, and we have made headway. But why wouldn't we, when we have been dawdling with this issue for so long, not give the benefit of the doubt to treatments that are promising and get this across the finish line for these individuals who have no other hope but for us to get it done?

I yield the floor.

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 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. 11, Daniel J. Calabretta, of California, to be United States District Judge for the Eastern District of California.

Charles E. Schumer, Richard J. Durbin, Jack Reed, Robert P. Casey, Jr., Mark Kelly, Patty Murray, Tim Kaine, Jeff Merkley, Sheldon Whitehouse, Elizabeth Warren, Tammy Baldwin, Benjamin L. Cardin, Jeanne Shaheen, John W. Hickenlooper, Christopher Murphy, Brian Schatz, Debbie Stabenow, Alex Padilla.

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 Daniel J. Calabretta, of California, to be United States District Judge for the Eastern District of California, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Maryland (Mr. CARDIN) and the Senator from Pennsylvania (Mr. CASEY) are necessarily absent.

The yeas and nays resulted—yeas 52, nays 46, as follows:

[Rollcall Vote No. 19 Ex.]

YEAS—52

Baldwin	Durbin	King
Bennet	Feinstein	Klobuchar
Blumenthal	Fetterman	Luján
Booker	Gillibrand	Manchin
Brown	Graham	Markey
Cantwell	Hassan	Menendez
Carper	Heinrich	Merkley
Collins	Hickenlooper	Murkowski
Coons	Hirono	Murphy
Cortez Masto	Kaine	Murray
Duckworth	Kelly	Ossoff

Padilla	Shaheen	Warnock
Peters	Sinema	Warren
Reed	Smith	Welch
Rosen	Stabenow	Whitehouse
Sanders	Tester	Wyden
Schatz	Van Hollen	
Schumer	Warner	

NAYS—46

Barrasso	Grassley	Risch
Blackburn	Hagerty	Romney
Boozman	Hawley	Rounds
Braun	Hoeven	Rubio
Britt	Hyde-Smith	Schmitt
Budd	Johnson	Scott (FL)
Capito	Kennedy	Scott (SC)
Cassidy	Lankford	Sullivan
Cornyn	Lee	Thune
Cotton	Lummis	Tillis
Cramer	Marshall	Tuberville
Crapo	McConnell	Vance
Cruz	Moran	Wicker
Daines	Mullin	Young
Ernst	Paul	
Fischer	Ricketts	

NOT VOTING—2

Cardin Casey

The PRESIDING OFFICER (Ms. ROSEN). The yeas are 52, the nays are 46.

The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Daniel J. Calabretta, of California, to be United States District Judge for the Eastern District of California.

The PRESIDING OFFICER. The Senator from Vermont.

ORDER OF PROCEDURE

Mr. SANDERS. Madam President, I ask unanimous consent that notwithstanding rule XXII, the vote on confirmation of the Calabretta nomination occur at 11 a.m. tomorrow, Thursday, February 16; that the cloture vote on the Martinez-Lopez nomination occur following disposition of the Reyes nomination; and if cloture is invoked on the Martinez-Lopez nomination, the confirmation vote occur following disposition of the Calabretta nomination; further, that the vote on the motion to invoke cloture on the Kahn nomination be at 1:45 p.m.; finally, that following my remarks and the remarks of Senator BARRASSO, the Senate stand in recess until 4 p.m.

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

Mr. SANDERS. Madam President, Senators should expect two rollcall votes at 4:30 p.m. today and three rollcall votes tomorrow.

PRESCRIPTION DRUG COSTS

Madam President, there is a lot of discussion in our country about how divided we are as a people, and there is no question that on many issues, that is absolutely true.

But it turns out that on one of the most important matters facing the American people, Democrats, Republicans, Independents, progressives, moderates, and conservatives are all united, and they are united on the need to take on the outrageous corporate greed in the pharmaceutical industry