

Many people recall vividly that day where they were. I was in this building outside that door and a few steps down the hallway. I can recall seeing, on a small television set, the planes striking the towers in New York. First, we were confused: What is going on here that a plane would strike a building? But when the second one took place, it started to dawn on us that this was no longer an accident; it was by design.

I can recall looking down the Mall toward the Washington Monument and seeing black smoke billowing across the Mall. It took a few minutes to establish what had happened, a plane had crashed into the Pentagon and our Department of Defense, killing the innocent people on the plane and in that building. What we were seeing was the smoke from the fire of that crash.

It wasn't a few moments afterward that someone came to the door and said: Evacuate. Leave the building.

I have been around Capitol Hill for a number of years. I had never heard that before. But we all took it seriously, and we piled out onto what was the lawn between here and the Supreme Court Building. And people gathered. Tourists came up to me and said: Do you work here?

I said: Yes.

They said: Where are we supposed to go? It was a very fundamental question because, at that point, we heard sonic booms from the jets that were being scrambled to protect this building. We assumed it would be the next target. And it might have been were it not for the courage of the passengers and crew on that United Airlines flight that was brought down in Pennsylvania before it could reach Washington, DC.

These are memories we all have and will carry for a lifetime of what had happened 22 years ago.

Now, 22 years later, we are connected by sadness as we reflect on 2,977 lives lost at the World Trade Center in New York, the Pentagon in Washington, and that field in Pennsylvania.

But we also remember the care for our communities and the common purpose we found after that tragedy, after the attacks, as our Nation sought to find light amidst the darkness. In our most divided moments, we should look to that as a reminder that America, as a nation, is at its best when we seek unity and humanity over separation and hate.

NATO

Mr. President, I listened carefully to the statements made by my colleague from Kentucky, the Republican leader, Senator MCCONNELL. I want to join in and make it clear that I agree with virtually every word he spoke concerning our relationship with Ukraine. I do want to add a footnote which he may not have added, and I want to give credit to this President currently serving, Joe Biden, who led the United States' return to NATO after the previous President's administration.

There had been serious questions as to whether NATO, as an alliance,

would even survive under the previous President. President Biden has told Members of the Senate and others that at the first meeting of NATO after he was elected, our allies basically sat down and said: President Biden, is America in for the long haul when it comes to NATO? And even before the Ukraine challenge, he said yes.

What happened after Vladimir Putin, the war criminal, invaded Ukraine was that the members of the NATO alliance had to answer a basic question: Would we respond to the challenge?

I think the record is clear. NATO, as an alliance, has never, ever been stronger than it is today. The countries that are part of it have made a commitment not only to their common defense but also to help Ukraine, in any way possible, put an end to this invasion. In fact, if you reflect on what has happened to Vladimir Putin since he invaded Ukraine a little over a year and a half ago, you realize that the world is a lot worse for him.

The NATO alliance is not only strong, it is larger than ever. The accession of Finland and Sweden to join the NATO alliance was a bold, strong move that really gives notice to Vladimir Putin that his future is even more in doubt when it comes to his relationship with the West. I think, now that Sweden and Finland are now a part of NATO, to take a look at the map of Europe is to realize that the Baltic Sea is now a NATO sea with only two minor exceptions, and it means that we are stronger than ever.

I agree with Senator MCCONNELL. We need to stand behind Ukraine and the NATO alliance now more than ever, as people are making sacrifices and giving their lives to the cause of freedom and sovereignty. So I couldn't agree more with his statements.

I do question, when he talks about violence in the streets of Chicago, as to why he never refers to cities in red States that are witnessing the same phenomenon going on today—in fact, even worse than in my city of Chicago that I represent.

We have a crime problem in this country, and we have to deal with it. It is made more difficult and challenging because of the proliferation of guns in America. We are a nation of 320 million people, perhaps, with 400 million guns, and they are moving across State borders with abandon into the hands of people who have no business owning a gun. We could do a lot more about that right here in the Senate.

I still remember that it was a little over a year ago in Highland Park, IL, when a deranged individual went on the roof of a local business, pulled out his weapon, and fired 83 rounds in 60 seconds into a crowd, killing seven innocent people and injuring dozens of others. Why in the world he should ever have had a military assault weapon is beyond me, and it is way beyond anything the Founding Fathers envisioned when they wrote the Second Amendment.

We can do more and should do more to make the streets safer across America. I agree with that part of Senator MCCONNELL's speech, but I wish he would have given us a more complete presentation of the challenge we face.

FDA AND APPROPRIATIONS

Now, Mr. President, on another subject, this weekend marked 2 years, the second anniversary, since the Food and Drug Administration missed a Federal court-ordered date to finish its review of vaping applications, e-cigarette applications that have illegally flooded the market in the United States.

We estimate that during that 2-year period of time when the FDA refused to respond to the Federal court order, approximately 2 million American children may have started vaping; and despite missing this deadline by 2 years, the Food and Drug Administration remains nowhere close to meeting the legal mandate to regulate these addictive e-cigarettes.

You see, under the law, a vaping product is required to apply first to the FDA before entering the market and prove to the Food and Drug Administration that the e-cigarette is, in the law—this is from the law—"appropriate for the protection of public health."

They can't prove that. This has not happened. Instead, tens of thousands of dangerous, highly addictive e-cigarettes have illegally shown up on store shelves without FDA review or approval, and they have hooked a generation of kids. In fact, studies have shown that there are more vaping devices on the market today than 2 years ago when the FDA was ordered by a Federal court to do so. That is unacceptable.

My office recently investigated the FDA's effectiveness in following through even after it issues a denial for a vaping application. So a company comes to the FDA, submits their product. It is supposed to show how it is consistent with public health. It fails to do so. They are told not to sell the product in America.

And what do they do? We found that many FDA-denied e-cigarettes which subsequently received warning letters for continuing to sell in violation of the law still remain available. I just don't understand it. The Food and Drug Administration is cowardly, refusing to use its full arsenal of enforcement tools—fines, injunctions—for even the most flagrant cases. We also found that the FDA has only issued "closeout letters" to 10 percent of the tobacco products that it had warned were violating the law.

The Administration, the Food and Drug Administration, has the authority to decide whether a vaping device or cigarette can be sold. If they decide it cannot be, they tell them: You have got to stop at this point.

How many actually followed the warning and refused to violate the law: 1 out of 10, meaning the Agency has one of the worst records in history of

following through and ensuring compliance with enforcement.

I have referred all this information to the Department of Justice. Maybe they will take action.

Let me be clear. None of the most popular e-cigarettes used by kids have been granted the authority to be sold in the United States by the Food and Drug Administration, yet they remain on the market in violation of the law, putting our children and teenagers in harm's way.

This isn't the only instance where the FDA's delays are dangerous. Last month, the FDA blew through a deadline to finalize rules to prohibit menthol-flavored cigarettes and flavored cigars. This regulation is also long overdue and has the potential to save thousands of lives. The FDA must end its delays.

This week, we are going to embark on a task that is really rare. The full U.S. Senate, this week, is going to consider three government spending bills. You say to yourself: Well, I am sure that has happened before. Yes, about 5 years ago; and since then, what we have done is wait until the very last minute when all hell is about to break loose and create omnibus spending bills. But this year we are actually going to bring an appropriation bill to the floor in the Senate. It is a cause for celebration.

This package includes appropriation bills for agriculture, which funds the Food and Drug Administration. In light of the FDA's embarrassing delay in reviewing these products and keeping them away from kids, I am preparing amendments to the bill to improve regulatory and enforcement efforts. I hope my colleagues will join me in this effort to protect children from Big Tobacco. It cannot be business as usual for the Food and Drug Administration and its commissioner. We have to do something.

I am glad to say that the bills we are considering this week include bills that have had strong, overwhelming bipartisan support. In addition to agriculture, it will be the military construction and veterans affairs bill and the transportation, housing, and urban development spending bill. Each bill makes significant investments in America.

These bills would provide veterans with the mental health services they deserve; strengthen and improve our Nation's infrastructure; and ensure women, infants, and children can get the nutrition that they need.

My colleagues on the Senate Appropriations Committee, led by Chair PATTY MURRAY, my fellow Senator from the State of Washington, and Ranking Member SUSAN COLLINS, my friend and Senator from Maine, worked across the aisle to pass all 12 bills out of committee.

I know that the Presiding Officer is new to the Senate, but I want to tell you, this is also new to the Senate. It has been so seldom that we have ever

had two working together so well on a bipartisan basis, and I commend them both.

The leaders of each subcommittee drafted bills to the levels agreed upon in the debt ceiling deal made between the Republican-controlled House of Representatives and President Biden. Remember when we were facing that debt ceiling debate and afraid that our government—maybe our economy—would shut down and Joe Biden stepped in and negotiated with the Speaker of the House, Republican KEVIN MCCARTHY, and they came up with a spending plan on a bipartisan basis so that they could pass the bill for the debt ceiling? That was just a few months ago.

Now, a handful of Republicans in the House say: Throw out the deal; let's start over—with the risk of shutting down the government as a very real possibility for them. It would be the height of irresponsibility and a painful decision that would hurt veterans, people receiving Social Security, and innocent people across America. I hope that KEVIN MCCARTHY will stick by his agreement with President Biden, and I hope that he will tell the extremists in his caucus this is no way to run a country.

The Senate is making good on its promise on this side of the Rotunda to the American people by working to fund the government through regular order through our appropriation bills.

I wish our Republicans in the House could say the same. They have drafted bills to levels wildly less than those that were agreed on. Here is where they think we should make cuts: education, medical research, public safety, public health programs, and more. And so far, they have been unable to pass all of these partisan drafts out of committee.

Here in the Senate, we are following regular order and working to avoid a shutdown and fund the government without interruption because we have seen the ramifications of putting politics above our duty to the American people. Shutdowns severely reduce our gross domestic product, force families to go without paychecks, and signal to our adversaries that we hesitate to make the critical investments necessary to remain competitive and keep our country secure.

Last week, I was pleased to hear Senate minority leader Senator MCCONNELL, who just left the floor, say we need to "keep the lights on" by funding the government through regular order. I couldn't agree with him more. I hope our House Republican colleagues will heed this message and meet with us to meet this moment in history.

Today is a day of history. Let's make our own in the future in a much more positive way, and I am confident we can.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. MURPHY). The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

MILITARY PROMOTIONS

Mr. TUBERVILLE. Mr. President, today, as our Nation marks the 22nd anniversary of the September 11 attacks, we mourn the loss of some 3,000 Americans who were murdered by terrorists. It was one of the darkest days in our history.

Just last week, we marked another sad anniversary. It was the second anniversary of President Biden's surrender in Afghanistan. On 9/11/2021, the Taliban controlled more territory in Afghanistan than they did on 9/11/2001. That is an absolute disgrace. The responsibility goes straight to our Commander in Chief.

At the time, President Biden called it "an extraordinary success." Nobody else thought so. The American people overwhelmingly reject this idea. Our allies certainly reject this idea. It was not a success. It was the worst embarrassment of our Nation in decades.

Two years since the fall of Afghanistan, there has been absolutely no accountability within the Biden administration. No one has been fired. Nobody paid the price. Thousands and thousands of our allies in Afghanistan have lost their lives.

We surrendered billions of dollars in military equipment to the Taliban. As a result, the Taliban is now the best armed terrorist group in the history of the world. And, again, nobody has been fired. In fact, the only one in our military who got fired was a colonel who sounded the alarm as a whistleblower—what a disgrace.

It even gets worse. Just weeks after the fall of Afghanistan, President Biden issued his vaccine mandate. The Supreme Court struck it down for private companies. It took an act of Congress to stop it for our military more than a year later.

So just weeks after our worst military defeat in decades, President Biden purged the ranks of some 8,000 patriots. There was never any scientific basis for this mandate—none. No one disputed the fact that these were healthy servicemembers who were ready and willing to defend the United States of America. They were pushed out for ideological reasons. This was a real threat to readiness, and it inflicted real hardship on military families.

Democrats have been talking a lot about readiness lately and military families, but there was silence when Joe Biden fired 8,000 American patriots and left their families without income. Thousands and thousands more servicemembers were vaccinated despite serious reservations of conscience. This was a slap in the face to our heroes in uniform.

The Senate had the chance to fix this in July, but our Democratic colleagues blocked it. Senator CRUZ offered an amendment to this year's defense bill