

NOMINATION OF JESSICA G. L. CLARKE

Madam President, on the Clarke nomination today, the Senate will confirm a highly qualified judicial nominee from New York, whom I was very proud to recommend, Jessica Clarke, to serve as a U.S. district judge for the Southern District of New York.

Ms. Clarke had all the opportunities in the world to enter private practice in New York, but instead she chose the path of public service. She has worked in the Department of Justice's Civil Rights Division and the New York attorney general's Civil Rights Bureau. She is a great civil rights lawyer, and I am certain she will make an excellent member of the Federal bench.

It would have been difficult to imagine someone like Ms. Clarke being nominated to the Federal bench a generation ago, but because of her talent and her dedication to the rule of law, she is rightfully taking her place on the bench today. Our courts will be better for it. I look forward to supporting her confirmation and urge my colleagues to vote in her favor.

INSULIN

Madam President, now on insulin, the exponential spike in the cost of insulin is one of the most unjust and widespread healthcare bad trends in the past few decades. This drug, discovered a century ago and which is exceedingly cheap to produce, has seen its price surge in recent years, sometimes far beyond \$300 for a month's supply. That is cruel. It is unjust. It causes anguish for so many, but it is also for so many a reality.

Senate Democrats took a major step toward basic fairness last year by capping the cost of insulin for people on Medicare at \$35 a month. Since Democrats took action, Big Pharma has taken note. Eli Lilly announced a few weeks ago that they, too, will be capping the cost of insulin for patients at \$35 a month as well as dramatically dropping the overall price. And just this week, Novo Nordisk also decided to drop their price in a similar manner.

So today I call on the third big drugmaker of insulin—Sanofi—to end their practice of keeping insulin prices at sky-high levels so that Americans can afford to pay for diabetes treatment without going broke.

I will be sending Sanofi a letter soon expressing my desire and Americans' strong desire for them to drop the price of insulin.

Lowering insulin costs for all patients is the right thing to do, and I hope Sanofi makes the correct decision to lower their prices very soon, just like Eli Lilly and Novo Nordisk have done.

All of us know somebody with diabetes. Put yourself in their shoes and imagine the sheer agony of struggling to afford this basic drug just so you can live a decent and healthy life, so you don't have to worry about going blind or maybe having a leg amputated—just so you can live at all. No American should have to go through that ever—ever—but too many do.

In the Senate, I hope both parties can build on the work last year to cap patient insulin costs at \$35 a month for everyone. We did it for Medicare. We can do it for everyone else. And we hope we can get that done on a bipartisan basis. Lowering insulin prices isn't a Democratic issue or a Republican issue; it is purely American. And I hope we can get something done. But today, the most immediate thing that can happen is for Sanofi to listen to the voices of millions of Americans and make the right choice to lower the price they charge for insulin for all patients.

ENERGY

Madam President, now, on energy, yesterday, Speaker McCARTHY and House Republicans rolled out a bipartisan, unserious, and dead-on-arrival so-called energy package they laughably labeled as H.R. 1.

It is not difficult to see that the Republican proposal is nothing more than a wish list for Big Oil, masquerading as an energy package.

No serious energy package would gut important environmental safeguards on fossil fuel projects while leaving out necessary permitting reforms needed to bring transmission and clean energy projects online.

Rather than prepare for the future, Republicans' Big Oil wish list would lock America into expensive, erratic, and dirty energy sources. The Republicans' so-called energy plan would set us back decades in our transition to clean, affordable energy. It shows the influence that Big Oil has on the Republican House caucus because it seems that this package was almost written by Big Oil.

So let me be clear. The House Republicans' so-called energy bill is dead on arrival in the Senate—dead on arrival. And I would say to my colleagues: We can still get something done. Fortunately, many Democrats and Republicans understand that we need bipartisanship in order to produce a real energy package. As we speak, there are talks happening in good faith about the possibilities of a permitting deal. I strongly—strongly—support both sides working together to arrive at a real energy bipartisan package, not the partisan wish list Republicans have introduced.

Any genuine energy package must include a permitting deal that will ease America's transition to clean energy while also ensuring that clean energy is reliable, accessible, and, most importantly, affordable.

Transmission is vital to getting clean energy from where it is produced to where people live, but the Republicans' H.R. 1 proposal completely ignores this issue, to its detriment and its demise.

Until Republicans recognize that permitting reform is an essential step toward laying the foundation for a clean energy future, no proposal or package they put forward will be taken seriously.

DRONES

Madam President, finally, on drones to air defense and Israel, yesterday, it was reported that Israel approved export licenses for anti-drone jamming systems that could help Ukraine counter Iranian drones used by Russia. They are doing terrible damage, often aimed brutally at civilians who don't have a military consequence.

During our code's recent visit to Israel, my eight colleagues and I pressed the Israeli Government to take action along these lines. We stressed that supporting Ukraine against Putin is essential for the security of all democracies. The decision by the Israeli Government to approve export licenses for anti-drone jamming systems is very good news.

I urge Israel to do more to help our friends in Ukraine. President Zelenskyy has repeatedly asked for air defense systems that can counter missile barrages Putin is sending into Ukraine. I believe it is critical that Israel respond to this request favorably.

I yield the floor.

The PRESIDENT pro tempore. The majority whip.

AUTHORIZATION FOR USE OF MILITARY FORCE

Mr. DURBIN. Madam President, when the Constitution was written, there were some fundamental principles which were included, and one of them said that any declaration of war in the United States had to have the approval of the American people through their elected representatives in Congress. It was an awesome responsibility and an important one. I think it was the right responsibility given to the people through their elected representatives.

After World War II, there were several engagements by the American military without such declaration of war. Those were, of course, controversial and debated, but I am sure you recall and I do, too, October of the year 2002, when this Senate was called on, with the House of Representatives, to consider the invasion of Iraq and the authorization of use of military force for that purpose.

We may have forgotten by now, 20 years later, but I remember very vividly the fearsome national debate over whether this Nation, having been hit by 9/11, needed to invade Iraq.

The rationale was weapons of mass destruction were present in Iraq, threatening not only nations in the Middle East, which were our friends and allies, but even threatening the United States of America.

That threat, weapons of mass destruction, was beaten into our heads day after day. But many of us were skeptical, and the vote came on the floor of the Senate, I recall, in October of 2002. It happened late at night. And at the end of the day, there were 23 of us—1 Republican and 22 Democrats—who voted against that authorization for the use of military force in Iraq.

I look back on it, as I am sure others do, as one of the most important votes

that I ever cast. It was not only a decision about going to war, but it was a false argument that weapons of mass destruction were threatening anyone.

After invading and after making the commitment of the American military force, along with our allies, no weapons of mass destruction were ever found in Iraq. It was a lie perpetrated by those who wanted to drag the United States into the Middle East for a long-term commitment and a dubious threat to our country.

The repeal of this authorization of use of military force does not mean the United States has become a pacifist nation. It means that the United States is going to be a constitutional nation, and the premise of our Founding Fathers will be respected.

If there is cause for us to use military force in the future, we should properly follow that Constitution and let the American people have their own voice in this process through their elected representatives in Congress. I am cosponsoring and fully support removal of this authorization of use of military force and believe it is consistent with the vote many of us cast in 2002 against that premise.

BANK FAILURES

Madam President, on a separate issue, Americans woke up with a bad taste of déjà vu last week. We witnessed the biggest bank collapse since 2008. This time, thankfully, President Biden and Federal regulators stepped in swiftly to minimize the damage caused by the failure of Silicon Valley Bank. Their actions helped protect the financial security of Americans across the country, including small business owners in my own home State who banked with SVB and needed to make payroll.

But there is an important lesson here. It is the same lesson we learned after the great recession—and even the Great Depression before it. The financial industry cannot be trusted to police itself, period. We need cops on the beat in our banks, not just for the biggest Wall Street banks but for banks that families entrust with their life savings and paychecks.

Banks like SVB want to have it both ways. During boom times, they disparage anything to do with government and regulation, but as soon as things get rocky or go bust, they come crying to Uncle Sam for a bailout. We have seen it over and over.

Not this time. President Biden made it clear this week that American taxpayers won't be bailing out SVB. The President also emphasized that our banking system is safe because of the actions regulators have taken. Americans should feel confident that their deposits will be there if they need them. But we can't stop there. We need to take action to prevent these financial meltdowns from happening in the first place.

After the great recession in 2008, Congress passed the Dodd-Frank Act, the strongest bank regulations since the

Great Depression. Oh, there were a lot of big banks whining and crying about too much government regulation, but we learned our lesson in the great recession and passed that bill in the House and Senate, and it was signed into law.

In 2018, the former President signed a law that rolled back critical parts of the bill, and I am speaking, of course, of President Trump. He decided that Dodd-Frank went too far, in his estimation, and he rolled back some of the protections. And, dramatically, the Trump administration's initiative—dramatically—lowered capital and liquidity requirements for mid-sized banks just like SVB. In other words, then-President Trump's regulatory rollback paved the way for the SVB collapse. That is why, on Tuesday, I joined with my colleagues, under the leadership of Senator ELIZABETH WARREN, in introducing legislation to correct that mistake and restore critical Dodd-Frank protection. This is the least we can do to protect families and small businesses that trust banks with their money.

Importantly, SVB wasn't the only bank that got into trouble this weekend. Two other banks, Silvergate Capital and Signature Bank also failed. Silvergate and Signature were two of the most crypto-friendly institutions and did extensive business with the cryptocurrency industry—an industry that is rife with instability, fraud, and volatility. So the collapse of Silvergate and Signature is really just the latest example of the risk crypto poses to our economy.

For months, I have been sounding the alarm on crypto. Yes, I am a crypto skeptic. The Senate Agriculture Committee, on which I serve, has held multiple hearings in recent months on cryptocurrency and proper regulation of the industry. At those hearings, I warned about the contagion and risk if crypto was more fully integrated into the broader financial system. This weekend proved that those fears were not unfounded. The fears were confirmed by the failure of these two banks.

This asset class—cryptocurrency—is unwieldy, unstable, unregulated, and we cannot allow it to spread risk across our financial system. Frankly, it has already gone too far, and now we need to be honest about crypto. It is a dangerous, risky investment that needs more transparency, more accountability, and strict regulation.

The burden is on Congress to act.

(The remarks of Mr. DURBIN pertaining to the introduction of S. 850 and S. 851 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. DURBIN. I yield the floor.

I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. WARNOCK). Without objection, it is so ordered.

BIDEN ADMINISTRATION

Mr. THUNE. Mr. President, when it comes to the actions of government, it is often legislation that grabs the headlines, but it is equally important to be aware of what a Presidential administration does with his regulatory power. With the modern expansion of the regulatory state, Presidents have a tremendous amount of power to affect our economy and Federal policy through regulation, and President Biden has made aggressive use of regulatory power to push his agenda and to burden our economy in the process.

President Biden's big spending habits are well-known: the \$1.9 trillion American Rescue Plan spending spree that he signed into law; the trillions of dollars in new government spending he has proposed and pushed for over the course of his administration. But his carelessness with taxpayer dollars is not limited to legislative initiatives. President Biden has also pushed through regulations costing almost \$360 billion and requiring 220 million hours of paperwork—220 million hours of paperwork. Now, that is a big compliance burden and a good reminder of the fact that regulations have consequences—consequences for individual Americans, consequences for American businesses, and consequences for our economy.

Take the Biden administration's proposed rule to require Federal contractors to disclose their direct and indirect greenhouse gas emissions and, in some cases, not only their own direct and indirect emissions but also related emissions over which the contractor has no control. This rule is not only impractical, it is unclear how contractors would even begin to gauge emissions over which they have no control, but it is likely to be both costly and burdensome.

By the government's own reckoning, the rule would cost affected small businesses more than \$600 million over the first 10 years, and the National Federation of Independent Business notes that the actual cost is likely to be much higher. With compliance costs like these, why would any small business want to apply for a Federal contract?

This is just one of a number of costly regulations the Biden administration has put in place or is attempting to put in place to advance its extreme environmental agenda.

A new rule from the Environmental Protection Agency that will require a drastic reduction in nitrogen oxide emissions from heavy-duty vehicles is not only likely to substantially raise the price of new trucks, it could drive some smaller trucking companies out of business entirely, which would be problematic at any time but especially problematic given the supply chain problems we are still experiencing.

A proposed rule to prohibit the sale of cooktops that consume more than a