

mocking his opponent on the Presidential debate stage for warning of the threat posed by Putin. As he put it smugly to our now colleague, Senator ROMNEY, “The 1980s are now calling to ask for their foreign policy back.” That same year, then-Vice President Biden said our colleague from Utah was “mired in a Cold War mindset.”

Well, of course, the Obama-Biden administration didn’t just scoff at realism on Russia; they assiduously avoided it. When Ukraine’s pro-Western democratic leaders faced an incursion by highly trained Russian troops, they begged for lethal weapons to defend their sovereign territory, but the Obama-Biden administration worried about escalation and sent nonlethal supplies like blankets and MREs instead. The next year, the West’s collective failure to support Ukraine militarily or impose meaningful costs on Russia resulted in cease-fire agreements that at best would have frozen the conflict in place had Putin actually respected them.

Even as the next administration moved to provide lethal assistance and training for Ukraine and began the process of rebuilding our own military strength, too few European allies were taking Russian aggression or their own pledges to increase defense spending after Putin’s 2014 invasion seriously enough.

Unfortunately, President Biden compounded the problems he had helped sow back when he was Vice President—from a disastrous, credibility-shredding withdrawal from Afghanistan to his constant refusal to steer European allies away from reliance on Russia, especially Russian energy. It is not a mystery why Putin was not deterred.

The weakness and indecision that defined the Obama-Biden administration’s response to Putin’s 2014 invasion have actually echoed in the Biden-Harris administration’s response to his 2022 escalation. For months, as Russian forces amassed on Ukraine’s borders, and for months, as their brutal campaign got underway, the Biden White House mostly managed to deter itself from equipping Ukraine at the speed of relevance.

This is not to say that Western allies and partners aren’t making historic investments in deterring common threats. The free world is indeed finally waking up. In the last 2 years, NATO allies have spent more than \$120 billion on cutting-edge U.S. weapons and capabilities, while also making historic investments in their own defense and industrial capacity.

Just think of the lessons Russian aggression is teaching about the interconnected nature of the threats we face. Consider how unwaveringly our allies in the Indo-Pacific have supported Ukraine’s fight, both in word and in deed. As Taiwan’s Foreign Minister put it over the weekend, on the 2-year anniversary of the 2022 escalation—here is what he said: Ukraine’s resistance was “showing us what fight-

ing spirit is, and passing it on to Taiwan.”

Take the encouraging news just yesterday that Sweden is now finally poised to become the newest member of the transatlantic alliance. I visited Stockholm and Helsinki in a show of solidarity last March when their Parliament voted overwhelmingly in favor of joining NATO. There is no question that Sweden and Finland joining the most successful military alliance in human history will further contribute advanced capabilities to our collective security and make the West and America safer.

Across the world, Americans, allies, and partners have drawn sobering lessons from the latest chapter of Russian aggression in Ukraine, but we have yet to learn some of the same lessons ourselves. It is time to recognize how passivity, half-measures, and delay brought the West to this particular moment and where they will take us if we don’t reject them and chart a new course. We should reflect on the mistakes of the Obama-Biden administration, its failure to respond forcefully to aggression, and we should resolve not to make the same mistakes ourselves.

For 10 years, our adversary has shown us by his actions that Russia’s appetite for conquest grows with the eating. We can no longer afford to pretend otherwise.

NATIONAL LABOR RELATIONS BOARD

Mr. President, on another matter, last week, the Biden administration leftwing majority on the National Labor Relations Board issued a ruling in a case with far-reaching consequences for free speech. The decision had its roots in a quest by the Board’s activist General Counsel to appease the core democratic alliance of Big Labor and progressive activists. This comes after President Biden fired her predecessor just moments after his inauguration.

The facts of the case are simple. An employer terminated an employee for violating a content-neutral company dress code that prohibited employees from displaying causes or political messages unrelated to workplace matters. The employee refused to comply and was fired. Breaking decades of precedent, the NLRB now says that the employer was wrong to do so and must rehire the employee and provide back-pay.

For decades, American labor law maintained important and fairly straightforward speech protections. At work, employees have the right to speak about work; that is, employees have the right to “concerted” activities in the workplace when they relate to wages, hours, and working conditions. They can also work together to form or join a union. But these protections included a clear distinction between labor advocacy and political agitation. People have the right to say what they want on their own time, but our labor law only protects political activity or slogans that are a “logical

outgrowth” of speech related to wages, hours, and working conditions.

Well, this particular NLRB apparently sees no daylight between activism for leftwing political causes and advocacy connected to working conditions. In a fit of wokeness, the Biden administration’s regulators managed to throw out decades of careful distinctions designed to protect employees, employers, and customers alike.

So progressive political messages may now be protected by Federal labor law, but does the road go both ways? The next time someone gets fired for donating to a conservative cause, will those same progressives leap to his defense? I wouldn’t hold my breath.

The decision will have even more consequences for employers. Employers will have to associate themselves with the politics of their employees or else face rebuke from Federal labor regulators.

This is government-mandated speech, and it is antithetical to our free speech jurisprudence and principles. It continues an alarming trend on the left: empowering the government to choose which speech is acceptable and which is not.

The ACTING PRESIDENT pro tempore. The majority whip.

REPRODUCTIVE RIGHTS

Mr. DURBIN. Mr. President, it was over 10 years ago, and there was a State of the Union Address about to take place. As Members of the Senate were given a ticket for a guest to attend, my staff came to me and said: Who would you like to invite?

I said: Why don’t we call out to Walter Reed Hospital and see if there is an Illinois soldier there who is physically up to coming up to Capitol Hill for the occasion?

They said: We will check it out.

They came back to me an hour or two later and said: We found a veteran. She is a member of the Illinois National Guard. She is recuperating at Walter Reed, and she can attend.

I said: Fine. I look forward to meeting her.

The night of the State of the Union Address, they told me that the officer from the Guard was in my office, and we opened the doors, and in came TAMMY DUCKWORTH. TAMMY was in a wheelchair and full dress uniform, being pushed by her husband Bryan, also a member of the Illinois National Guard.

This was in the month of January, toward the end of the month. With a big smile on her face, she told me the story of how, as a pilot of a helicopter with the Illinois Guard, she was shot down over Iraq in the first week of November—this was January—the first week of November, and she had gone through a series of surgeries. The result of that was she had lost both of her legs. At the time, her right arm was still in a sling, and there was a question about whether or not she would lose that as well. So she was in serious medical condition, but you

would never know it. She was just beaming with pride and happiness, and I thought, what a remarkable human being.

She became not only an acquaintance but started to become a friend and has become a very dear friend to me today. I am so honored that we have this good relationship as we do. It is perfect. I am for TAMMY. Whatever she is for, I am for TAMMY, and I found that is a good standard to live by in Illinois and American politics.

I worked with her through several political campaigns. Her first race for the House of Representatives ended up in defeat—big disappointment—but she never gave up. She never does. She ran again and was elected to the U.S. House, and eventually, filling the vacancy of Barack Obama when he moved to the Presidency, she became my colleague and the Senator from the State of Illinois.

We have a great political friendship, a great governmental friendship, a very great personal friendship.

I remember the day I was driving from Springfield in Central Illinois to Bloomington, IL, for a meeting. The phone rang, and it was TAMMY DUCKWORTH calling. I said: What is up TAMMY? She said: I have some news that I am sharing with very few people, and I wanted to share with you.

I said: What is that? She said: I am about to become a mother.

I couldn't believe it. I literally couldn't believe it. After what she and that valiant body of hers had been through in the combat for the United States, I couldn't believe that she had that opportunity to start a family. And she did.

The reason, of course, was in vitro fertilization. She had been working on it for a long time with Bryan to have their first child.

They had all but given up when a mutual friend of ours, Judy Gold, in the city of Chicago said: There is one more expert you have got to see. He never fails to create a family.

She went to this man; and, thank goodness, it worked. She became a mother, and it was a remarkable achievement after all she had been through and all her body had been through that she could reach that point.

I can't tell you the pride that was beaming in her face when I first saw her with the baby. She really believed that she had achieved something that many people didn't think was possible.

Fast forward, if you will, to several years later, and she said to me on the floor of this Senate: I need to talk to you about something personal.

We went up to my office and closed the door. She said: I am going to have another baby. I said: I can't believe it. She said: The IVF worked the second time. So she now has two daughters, a beautiful family. She loves them dearly.

I think about that when I think about the debate that is going on now,

the national debate, that was manifest in the decision of the Alabama Supreme Court last week when they decided—that court decided, consistent with the Dobbs decision, that IVF will no longer be legal in the State of Alabama.

As a result of that decision, IVF clinics were threatened, and some even closed in the area for fear of criminal prosecution for bringing to this earth children for loving families, just like TAMMY'S. Well, TAMMY DUCKWORTH has spoken out, even this morning, on the issue and what it means to her personally and what it means to all of us who value those individuals who fight so hard to create a family, which is what she did and so successfully.

It was nearly 2 years ago that the Supreme Court's rightwing majority made the disastrous decision to overrule *Roe v. Wade*, striking down the constitutional protections that afforded women the right to decide when, how, and whether to have children. That is at the heart of this whole debate. It is at the heart of the IVF issue.

Now we live in a world of Dobbs where Republicans have seized the opportunity to restrict the reproductive rights, health, and freedom of families across America.

Since the Dobbs ruling, Republican-led States have imposed abortion bans that threaten women's lives, and Republicans in Congress are attempting to pass a national abortion ban. Now it has gone one step further, as we knew it would.

Last week, the Alabama Supreme Court, which is made up entirely of Republican appointees, ruled that frozen embryos are legally children and that their destruction can be treated like the wrongful death of a child. That decision cited Dobbs multiple times. And, I might add, if you read excerpts of the decision, they not only relied on a warped view of the Constitution and other statutes, at one point the chief justice said that what was at issue was the wrath of God. The wrath of God—think of that for a moment. In a civil court in America in the State of Alabama, that was his basis for part of his ruling.

This unprecedented decision has already had serious consequences for reproductive rights in the State of Alabama, as major healthcare providers have halted in vitro fertilization out of fear of prosecution.

For those who desperately want a baby but struggle with infertility, for cancer patients who must safeguard future reproductive options as they undergo treatment, for same-sex couples who use IVF to expand their families, this ruling is devastating.

How can congressional Republicans call themselves pro-life, the pro-family party, when they are actively preventing women from using modern science to start a family? How can they be for life when they are supporting laws that endanger women's lives?

Predictably, Republicans are scrambling away from their earlier thinking.

Fearing that this extreme, unpopular measure will hurt their election chances in November, Republicans are simultaneously claiming they support IVF while continuing to support the bills to codify that life begins at conception.

Look at the record. In December 2022, when Senator DUCKWORTH asked for unanimous consent to pass a bill that would have established Federal protection for access to IVF and other fertility treatments, the junior Senator, the Republican Senator for Mississippi, blocked it on behalf of the Republican caucus. That was just 2 years ago.

Because of these extreme Republicans, we now live in a country where women are forced to carry pregnancies, including victims of rape and incest, women carrying nonviable pregnancies, and women whose pregnancies put their own lives at risk. And because of these same extreme Republicans, we live in a country where women who desperately want to become mothers but who need the help of IVF may now be denied that opportunity.

It is unconscionable that Republicans would go this far, but not surprising. Remember that quote from Maya Angelou: When someone shows you who they really are, believe them the first time.

Republicans have told us that they will continue to attack women's rights. Sadly, I believe them. We would be foolish not to take them at their word. Remember when Donald Trump promised to appoint Supreme Court Justices who would overrule *Roe v. Wade*? He did, and they did.

I am committed to working with my Democratic colleagues to safeguard women's reproductive rights, and I do this in honor of my great colleague and friend TAMMY DUCKWORTH. She is standing up for women all across America who want the chance to fight for the opportunity to create their own families.

I hope this country comes to its senses. We are going to have a hearing on this issue on March 13 in the Senate Judiciary Committee. It is important enough, it is timely enough that we do it and do it effectively.

THOMSON SPECIAL MANAGEMENT UNIT

Mr. President, I want to raise another topic in the jurisdiction of the committee. In December of 2021, Bobby Everson was killed while he was in the care and custody of the Federal Bureau of Prisons, allegedly by a cellmate.

At the time of his death, he was housed at the Federal prison in Thomson, IL, in a special management unit, a unit notorious for poor management, harsh conditions, even before the Bureau of Prisons moved into Thomson from USP Lewisburg in 2018.

After an investigation by the Marshall Project and NPR found that Thomson had become one of the Nation's deadliest prisons, I asked the Inspector General Michael Horowitz to examine Thomson as part of an investigation into the hundreds of deaths at Bureau of Prisons facilities.