

It was called the fugitive dust rule. OK. The theory of the fugitive dust rule from EPA is that if you are farming and you create dust in the normal operations that go into a farming operation—plowing, disking, planting, spraying, whatever it might be, combining the harvest—that you are supposed to keep that dust within your property lines.

Now, that is what EPA tried to promulgate. In fact, I think one time we thought we had it killed, and a couple of years later, it came up again. Now I think it is dead forever because it doesn't meet the commonsense test that a farmer working his fields can keep the dust within his property lines.

So I tried to explain it to EPA Administrators this way in regard to the harvesting of soybeans, which leaves a lot of dust. I said that when soybeans are 13 percent moisture, it is very necessary that you very quickly harvest them because 13 percent is the most ideal time with that amount of moisture in soybeans.

Do you know, to these Administrators, only God determines when the wind blows, and whether the wind is blowing or not, your soybeans are 13 percent, you have to get in there and combine them and not worry about where the dust goes, and you have about 2 weeks during the harvest season to accomplish the same goal.

But, no kidding, that is what EPA was trying to do to agriculture a few years ago.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

#### JANUARY 6 PARDONS

Mr. DURBIN. Mr. President, all of us can remember that when the Biden administration took office, one of the first issues facing them was the evacuation of American forces from Afghanistan. That effort had started under President Trump in the previous administration, but it was up to Joe Biden to execute the plan for that to happen.

The sad reality is that during the course of that evacuation, American troops lost their lives. I am sure that haunted President Biden every day he served as President, that the moment when he was being tested, he did not come through for those men in uniform who risked their lives and gave their lives in that effort. Those deaths haunted him, I am sure, during the 4 years of his Presidency.

I would say to the new President, Donald Trump, serving his second term, he has an issue that is going to haunt him. I can't tell you for how long, and I don't know exactly how it will affect our country, but it has already started. It started when he decided about 10 days ago to grant clemency to the January 6 offenders, those men who were engaged in an insurrectionist mob activity that overran the U.S. Capitol on January 6.

I know something about this because I was here. I was in this chair when the

mob that you have seen on television and in videos over and over again were taking control of this Capitol.

Presiding over the U.S. Senate—we were all in our seats—was the Vice President of the United States, Vice President Pence. We were counting the electoral votes in each State to decide who was the official winner of the Presidential election. It was happening right after President Trump had his rally not far from here and told his supporters and demonstrators to come up to the Capitol Building, which they did in vast numbers. And they didn't just come here for a casual visit; they came to break down the doors and break down the windows and to invade this building.

I am not exaggerating. You have seen it on the videos; you know what happened.

The net result of it is a lot of brave men and women who were part of the Capitol Hill Police force and the DC Police force stood in their way and tried to stop them and were beaten back. Over 140 of these officers were seriously injured by the demonstrators and the insurrectionists who were coming into this building. Several lost their lives. That was the reality of what happened.

The net result of it was one of the largest prosecutions in the history of the United States. Ultimately, hundreds of them paid a price for that violent activity on January 6 and what they did to our policemen.

The same policemen who are standing in the hallway now and protecting you—they are the people who were assaulted on that day. In fact, on the floor at this moment, I notice across the way one of the officers who stood before us that day and gave us instructions as to what to do. After Vice President Pence was removed, this officer of the Capitol Police told us: Stay in this Chamber. Stay in your seats. This is going to be a safe room.

That lasted about 10 minutes, and he came back in and said: We have changed the plan. Evacuate this room as fast as possible.

We all went outside the door.

It was a dangerous moment. It took hours before we could take the Capitol back from these demonstrators and marauders.

The men and women who were dedicated to their cause did things that were outrageous in terms of desecrating this building, the U.S. Capitol Building, this symbol of America. They desecrated it, and they had to be stopped. A lot of brave men and women in uniform risked their lives and some gave their lives as a consequence of it.

Many of them went to jail after they had been charged with crimes on that day of January 6, and it wasn't until the first day of the Trump Presidency that they finally had a chance for a pardon, and President Trump gave them that opportunity by releasing them from jail.

It is important to know what happened afterwards. You would think

these men—largely men—who had served time in jail, some of them for lengthy sentences—up to 20 years—when they were released with this pardon by President Trump, would go about their business and resume a normal, law-abiding life. That is not the fact.

Let me tell you what happened in the 10 days since President Trump granted these pardons, just so far as we know of those who were released from jail for their violence on the U.S. Capitol of January 6. I am going to do it by name.

Matthew Huttie, released by President Trump by pardon, was shot and killed by the Indiana State Police earlier this week after a traffic stop, when he resisted arrest while in possession of a firearm.

Daniel Ball has already been re-arrested, since he was released with the Trump pardon, on gun charges related to past convictions for domestic violence by strangulation and battery against a law enforcement officer.

These two individuals not only assaulted the law enforcement officers protecting us in the Capitol, when they were released by pardon from President Trump, they did it again in the week that has transpired since that happened.

Andrew Taake assaulted police at the Capitol with bear spray and a metal weapon. He is now wanted in the State of Texas for soliciting a minor for sex and a felony carrying a charge of up to 10 years in prison.

Enrique Tarrio, the head of the Proud Boys organization, a domestic terrorist group which has been identified for many years—he was convicted of seditious conspiracy on January 6 for his role in planning that riot. Here is what he said after his release:

Success is going to be retribution. Now it's our turn.

Stewart Rhodes, head of the Oath Keepers, another domestic terrorist group, convicted of seditious conspiracy for his role in planning the riot, said after his pardon by Trump and release:

The people who did this, they need to feel the heat. They need to be put behind bars and they need to be prosecuted.

He said January 6 should be remembered as "Patriot's Day." He said he had no regrets "because we did the right thing."

Jacob Chansley, the so-called QAnon Shaman, posted on X after his pardon—and I have to leave some of the words out now:

I AM GONNA BUY SOME [MF] GUNS . . . and EVERYTHING done in the dark WILL come to light.

Let's be clear. President Biden's acts of clemency are far more defensible than President Trump's pardons on January 6. Sadly—sadly—for law enforcement officers across the country, they are going to face many of these people again.

## NOMINATION OF KASHYAP PATEL

Mr. President, on an unrelated issue, tomorrow the Senate Judiciary Committee will hold a confirmation hearing for Kash Patel, President Trump's nominee for FBI Director.

What is the Federal Bureau of Investigation? We all have an image of it from television and from life experience. But it is 38,000 men and women, some of the best law enforcement professionals in not just in the United States but in the world, who are charged with keeping America safe.

I witnessed 9/11 in this building, looking down the Mall, watching billowing smoke coming in from the plane that crashed into the Pentagon. And we thought to ourselves immediately: Who is doing this to the United States? Whom should we ask? The Federal Bureau of Investigation. And that is what we did.

Time and again, we have gone to the FBI when the most serious law enforcement issues came up, and we still do. It is a critical Agency—38,000 employees and investigators, 400 offices all around the world. The person who heads the FBI has an awesome responsibility and an awesome authority.

Kash Patel is the nominee of President Trump to head up this Agency. Let me tell you about him.

I met with him, and I reviewed his record. I am deeply concerned about his fitness to serve as FBI Director. He has neither the experience, the judgment, nor the temperament to head this critical Agency.

As the lead investigative Agency of the Federal Government, the FBI plays a crucial role in keeping America safe from terrorism, violent crime, and other major threats. Our Nation needs a Director of the FBI who is ready on day one and who understands the importance of maintaining the integrity and independence of the Agency.

Unfortunately, Mr. Patel's record of service to the government demonstrates the opposite. He has pledged his loyalty to President Trump and promised to weaponize the FBI on President Trump's behalf. Mr. Patel has published an enemy's list of 60 people whom he called "government gangsters." He told far-right extremist Steve Bannon that "these people need to go to prison." I am not going to go through all the names, but Mr. Patel has published it in his book, which I had an opportunity to read, not once but twice.

"Government Gangsters," it is called. It spells out in detail his enemies list—his hit list—that he would have. This list includes many distinguished public servants who dedicated their lives to our Nation. Among them are Democrats and Republicans, including former Trump administration officials like Secretary of Defense Esper.

And then there is Mr. Patel's plan to "shut down the FBI Hoover Building on day one and reopen it the next day as a museum of the 'deep state.'" This

man wants to head the FBI and calls for closing down its headquarters the day after he would have that authority—for goodness' sakes.

Mr. Patel has peddled debunked conspiracy theories throughout his adult life that benefit President Trump. Patel claims that January 6 was "never an insurrection" and the FBI—get this now; this is what Patel says: The FBI "was planning January 6 for a year."

Can you imagine that? He has even coproduced and sold recordings of a song performed by January 6 rioters who violently assaulted our police officers.

During tomorrow's confirmation hearing, I will continue to press Mr. Patel on his many statements and positions. Will he focus on keeping the public safe from terrorism, drug trafficking, and violent crime, or will he focus on his trail of grievances and President Trump's agenda?

I fear Mr. Patel's record demonstrates the latter.

President Trump came into office promising to shake up the government. What he has done is wreak havoc.

Late Monday, President Trump, through a bureaucrat I never heard of, Matthew Vaeth, the Acting Director of the Office of Budget Management, ordered a freeze of Federal funding, which was set to begin at 5 p.m. last night. Thankfully, a Federal judge stepped in and temporarily blocked the sweeping, unconstitutional order until February 3.

Should this order be allowed to take effect, it will have devastating consequences, ranging from preventing communities from accessing natural disaster relief to halting food assistance.

Today, I want to speak specifically about how this action would harm the National Institutes of Health and medical research.

The National Institutes of Health is the premiere medical research Agency in the world—the premiere medical research Agency in the world. The \$38 billion they spend each year makes America and the world better by finding new drugs and cures for serious diseases. They support more than 400,000 jobs nationwide in medical research—jobs focused on conducting that research that leads to these cures and treatments that save lives.

Can you think of any more important Federal responsibility other than perhaps national defense?

Because of the work funded by NIH with taxpayer dollars, people with cancer are living longer and even being cured. HIV/AIDS is no longer a death sentence, and groundbreaking treatments exist to slow the progression of neurological disorders such as ALS and dementia.

Chances are, if you or a loved one takes any medication, you have NIH to thank, because 99 percent of the drugs approved over the past decade benefited from NIH research—99 percent.

Chances are, if you or a loved one ever get sick and wonder what options exist to save your life, the doctors will suggest a treatment developed by NIH.

Late last week, President Trump ordered NIH to stop all grant reviews and advisory council meetings, which allow researchers to decide what are the new research proposals we are funding.

Monday night, President Trump went a step further with his order coming down from the Office of Management and Budget—an order to stop all Federal grant funding, including at the National Institutes of Health.

I know this happened because the major universities in the Chicagoland area, which I respect so much, called me in a panic and said: We are supposed to stop all of our research. We are in the middle of some critical things.

I had to say: That is exactly what this temporary pause or temporary freeze would do.

Each year, NIH awards nearly \$38 billion in research grants to all 50 States and the District of Columbia. They support hundreds of thousands of jobs, generate \$92 billion in economic activity, and facilitate lifesaving medical research.

Do you know what the leading cause of death is in the United States? The No. 1 cause of death is heart disease, but there are others—cancer, unintentional injury, drug overdose, stroke, respiratory disease, Alzheimer's, and diabetes. NIH researchers work every day to find breakthroughs to save lives in America from these leading causes of death.

So when you freeze this Agency's work, when you tell their researchers to stay home, when you tell them not to spend a penny because they can't be compensated, it means you are putting a stop to the research that critically is trying to keep us alive. You handicap our Nation's efforts to develop new cures and treatments that address the top causes of death.

NIH is considered the world's leader in biomedical research, providing treatments and cures that other people in the world just dream of. President Trump's proposed freeze on NIH work is cruel and will have life-or-death consequences.

If your parent has dementia, you want the NIH work to continue. If your husband or wife has been diagnosed with glioblastoma, ALS, or Parkinson's, you need NIH work to continue. If you have a child diagnosed with a rare childhood cancer or heart condition, you are desperate for NIH work to continue.

This should not be a partisan issue. Over the past decade, Congress has, on a bipartisan basis, increased the NIH budget by 60 percent. We believe in their work.

A Federal freeze must not be allowed to take effect. I would hope my Republican colleagues would join me in calling President Trump to reconsider this harmful policy. Lives depend on it.