

harder to produce the most affordable and reliable forms of energy that Americans rely on at home. Now, as their radical climate agenda takes its toll on domestic production, millions of Americans are facing the possibility—listen to this—of summer blackouts.

The heartland, the West, and the Southwest face the highest risks. The people of Arizona and Nevada, for example, are already at what experts call “elevated risk” for this summer.

Are Arizonans and Nevadans clamoring for a new tax hike on natural gas electricity on top of everything else? I doubt it. Are they desperate to double down on the very unreliable green sources that set us up for these blackouts in the first place? I don't think so.

Our electric grid is overburdened already, but Democrats apparently want to strain it even more by eliminating the most reliable sources of energy we have, all the while spending hundreds of billions on schemes that depend on Chinese minerals, components, and supply chains.

Trading American energy independence for less reliable sources that depend on forced child labor and foreign producers with questionable environmental standards—really, is this what our colleagues think will usher in a big transition to green daydreams?

Washington Democrats are the only ones who would define higher energy costs and lower reliability as a victory. Real-life Americans know that higher costs and rolling blackouts are just two more symptoms of a failed government with failed leadership pushing failed policies.

Working families are still reeling from the time Democrats decided to spend us into inflation. They have got no appetite for being taxed into recession.

#### U.S. SUPREME COURT

Madam President, on another matter, all week long I have been discussing the historic Supreme Court term that wrapped up last month. Over the course of several months, a textualist and originalist majority issued the most consequential victories for our Constitution since the Court overturned *Plessy v. Ferguson* with *Brown v. Board of Education* in 1954.

It was the best Supreme Court term in generations.

The Court corrected one of the worst moral and legal mistakes of the 20th century and returned power to the American people to implement popular and commonsense protections for unborn life and bring America back inside the global mainstream.

The Court handed down two historic wins for religious liberty, rolling back decades of infringement on the rights of Americans to worship and to raise families as they choose.

The Court strengthened the rights of law-abiding Americans to defend themselves outside the home in a resounding reaffirmation of the Second Amendment.

And the Court took a huge bite out of the unconstitutional administrative state and rolled back a big part of the Obama-Biden administration's totally illegal Clean Power Plan. With electricity prices skyrocketing on Democrats' watch, experts warning about impending summer blackouts, and more pain at the gas pump, the last thing Americans need is a holy war on fossil fuels that Congress never actually authorized.

The Court's decision in *West Virginia v. EPA* was a victory for working Americans and a reminder that the power to make law rests with their elected Representatives, not unelected bureaucrats.

But, today, I want to talk about something that runs even deeper than these historic rulings. As in any high-profile term, last month, the Court arrived at rulings that some politicians and some citizens liked more than others. Goodness knows that I have been disappointed in my share of Supreme Court rulings over the years, including some extremely consequential cases. Going back decades, there have been countless times when the Federal judiciary has left conservative citizens feeling every bit as disappointed in a particular outcome as far-left activists seem to feel right now. After all, the courts don't exist to enforce any one political ideology or policy agenda. The Justices' sacred job is to follow the written text of our laws and Constitution wherever it may lead them and let the chips fall where they may.

But there is something funny. I can't recall any time when our side, the right-of-center side of America, engaged in prolonged mob protests outside judges' private family homes. The attacks on the judiciary, on this fundamental institution of our society, seem to only run in one direction.

A few weeks ago, the Speaker of the House and the Senate Democratic leader teamed up to issue a, frankly, unhinged statement. Most of the top Democrats in the country followed suit. Their reckless statements did not stop—indeed, barely even took a pause—when a disturbed leftwing person very nearly tried to assassinate a sitting Justice.

Frankly, the inflammatory tone of all of these attacks echoed the furious attacks on the Court, ironically, from the Democrats of the day after *Brown* overturned *Plessy* back in 1954. We are hearing absurd calls from the far left to have Congress politically persecute individual Justices because of their views of the law. They want to take off Lady Justice's blindfold and scare the Court into becoming politically partial.

Well, this didn't start now. Sadly, it has been years in the making. Along the path to this moment, the far left has stoked reckless rhetoric, and we have heard it from Democrats in elected office, like in the amicus brief from several Senators who declared the Court unwell—unwell—and warned it

to “heal itself before the public demands it be ‘restructured.’” In other words, do what we want you to do or we will change the makeup of the Court—or in the named threats from the Democratic leader himself that sitting Justices would—listen to this—“pay the price” for ruling in ways he didn't like. He said that over in front of the Supreme Court.

We have spent a year and a half now hearing Democrats say over and over and over again that a core principle of democracy is accepting the legitimacy of an outcome when you don't like it. Sound familiar? Our colleagues need to practice what they preach.

The ACTING PRESIDENT *pro tempore*. The majority whip.

#### INFLATION

Mr. DURBIN. Madam President, the Republican leader comes to the floor regularly with heartfelt concerns about the burdens facing America's families. I share those concerns. I think all Senators share those concerns. Inflation is a tough thing to deal with in the family budget. I go home to Illinois to see the price of gasoline at the gas stations. I shop in my local stores and see what it costs for the basics. I understand that, although it is an inconvenience for me, for many people, it is a hardship. So for the Republican leader to come to the floor and remind us of that problem which we are facing in our economy is certainly understandable.

Yesterday, the Bureau of Labor Statistics released the Consumer Price Index for the month of June. It came in higher than anticipated. Prices rose by 1.3 percent in June, and when compared to June 2021, prices are up 9.1 percent—the fastest year over year increase since 1981. When you dive into the data, you will see that prices jumped within categories that affect almost every household: food, energy, rent, gas. We know, for many American families, a break can't come soon enough.

So what are we going to do about it, give speeches? There are a lot of opportunities for us to do that, for the Republican leader and the Democratic leader—or are we going to do something?

The Democrats think it is time to do something, and we have picked one category of cost that is particularly important to American families. It is the category of cost that not only is a life-and-death issue but that determines the cost of health insurance for families. We know that because we are told by the largest health insurers in the United States that the cost of prescription drugs is driving the cost of premiums for health insurance, so Democrats have decided to tackle this directly.

Credit should go to our Democratic leader, Senator SCHUMER, who is in negotiation now on prescription drug pricing with Senator MANCHIN of West Virginia. I have been skeptical of the outcome of that negotiation, but I am beginning to be encouraged by what I

hear from Senator SCHUMER and from Senator MANCHIN; that, in fact, we can give relief to American families on the life or death inflationary cost of prescription drugs.

Wouldn't that be a breakthrough? Wouldn't it be something if this 50-50 Senate could end up doing something on a bipartisan basis that American families actually feel and for which seniors in our country would be able to say, "There is a limitation on how much I am going to be asked to spend for prescription drugs, and beyond that, I won't have to pay"? That is amazing—a breakthrough. Would it have made a difference when it comes to the cost of living for families? Of course it would.

So you would think that the Senator from Kentucky, who comes to the floor every day to give a speech on inflation, would be the leading cheerleader in our effort to contain the cost of prescription drugs. Wouldn't you think so? No. No. He has announced that he would oppose the increased effort to lower the cost of prescription drugs because it might raise taxes on the wealthiest people in this country. Hard to imagine, isn't it? His sympathy for millionaires and billionaires gets in the way of his caring for working families.

I think he should set it aside and should ask his colleagues on the Republican side of the aisle to join us in a bipartisan effort to contain the cost of prescription drugs.

We recognize how these price increases are squeezing household budgets across America, and we take it seriously. We have plans to lower prescription drug prices, decrease the price of gas at the pump, help families with the cost of childcare, and increase the supply of housing, all of which will address inflation, but item No. 1, priority No. 1, is prescription drugs.

The Senator from Kentucky has said he will oppose that. I hope he changes his mind. I hope, as he tells the stories of working families who tell him of the burdens they face with inflation, that he will also ask them the questions: How about reduction? How about prescription drugs? Are those expensive for you? Does it create a hardship? You know they do.

It is time for us to do something, and we would certainly like to have the Republican leader on our team to deal with one of the serious problems of the cost of living in America today.

U.S. SUPREME COURT

Madam President, on an unrelated topic, the majority leader comes to the floor and characterizes the Supreme Court as the best in history. He refers to decisions they have made and compares them to *Brown v. Board of Education*.

For those who have forgotten, in 1954, the Supreme Court, in *Brown v. Board of Education*, basically said that separate but equal does not work in America anymore; that we are going to provide real equality and real opportunity when it comes to education. It was a historic decision.

The Senator from Kentucky compares it to the *Dobbs* decision on a

woman's right to choose, but there is a critical difference. *Brown v. Board of Education* expanded the constitutional protections of Americans. It expanded the constitutional rights of Americans. Those are historic, and those are consistent with the most celebrated decisions in our Supreme Court's history. *Dobbs* did just the opposite. For the first time ever in recorded history, the U.S. Supreme Court removed a constitutional protection for its citizens. And what was that protection? The right of women to make their choices for their own reproductive health.

So it is very painful to hear a comparison between *Brown*, which extended the constitutional protection and rights of individuals, and *Dobbs*, which, in overturning *Roe v. Wade*, went in exactly the opposite direction.

It is interesting to me to hear the Court being described by the Senator from Kentucky as a Court that is originalist; that it just looked to the Constitution; that it just looked to history. Well, they also looked to something else. Every single nominee on the Supreme Court who had been installed under the Trump administration, with the facilitation of the Senator from Kentucky, had to check one important box: approved by the Federalist Society.

What is the Federalist Society?

You can search the Constitution, and you will see no reference to it whatsoever, but it is very real.

President Trump made no bones about it. He wouldn't consider a Federal court judge, particularly for the Supreme Court, who had not been approved by the Federalist Society. The Federalist Society is an extreme right-wing conservative group that approved judges during the Trump administration and the three judges who were approved for the Supreme Court.

So the loyalty of these Justices may be to the Constitution, but it is also to the Federalist Society's agenda, and that agenda applauds, of course, the *Dobbs* decision in overturning *Roe v. Wade*.

Madam President, I want to make a point about attacks on Supreme Court Justices: unacceptable, unforgivable, and we should do something about it.

Now, here is what the Senator from Kentucky failed to mention: The Senate Judiciary Committee, which I chair, has enacted a law and has sent it to the floor, which would extend the protection of Federal judges in the *Anderl* Act so that there are more resources put into their protection. It passed overwhelmingly, on a bipartisan basis, in the Senate Judiciary Committee.

You would think, with all of the speeches that we are hearing on the floor about the safety of judges and how we should take care that they are not in danger, that we would have passed that law on the floor of the Senate immediately, right? Wrong. That bill, which gives more resources to protect Federal judges, has been stopped by one Senator, and he has announced publicly that he has done it.

Can you guess where that Senator is from? He is from the same State as the minority leader—Kentucky.

Senator RAND PAUL has held up this bill for additional resources to protect Federal judges for weeks on end. Why? Why don't we want to protect them? He objects to the way we have done it, and he has held up the bill. He won't even let us vote on it.

So I would say to the minority leader from Kentucky: If you really care about the security of judges in the Federal system, pick up the phone and call your colleague from the State of Kentucky and ask him to withdraw his hold on this bill.

We should pass that bill this week. If something terrible happens to a Federal judge, God forbid, how in the world can we explain that one Senator from Kentucky has held up the bill that might have created the resources to protect that Federal judge? That is the reality.

So when you talk about judicial safety, start at home. Start with the State of Kentucky—one Senator for it; the other Senator blocking it. If both of them would be for it, we would do it this afternoon.

FREEDOM TO TRAVEL FOR HEALTH CARE ACT OF  
2022

Madam President, I would also like to address one of the aspects of the *Dobbs* decision in overturning *Roe v. Wade* which will be addressed by our colleagues a little later this morning.

Our Nation is in the midst of a healthcare crisis because of this *Dobbs* decision. In the weeks since the Supreme Court overturned *Roe v. Wade*—erasing a longstanding constitutional right to abortion—pregnant women across America have been thrust into chaos. From the moment this decision came down, abortion was declared illegal in nearly 12 States. Some of these States' abortion bans make no exception even in cases of rape and incest. Even when exceptions are made to save the life of a mother, they are confusing and leave medical professionals uncertain of their legal status.

The sad reality is that these laws will most certainly result in there being pregnant women in danger, especially women of color who are more likely to experience severe and even deadly complications as a result of pregnancy.

Earlier this week, the Senate Judiciary Committee held a hearing to examine the damage that has been created by overturning *Roe*.

During that hearing, we heard testimony from Dr. Colleen McNicholas. She is an OB-GYN doctor and abortion provider who practices in both my home State of Illinois and the neighboring State of Missouri.

Dr. McNicholas told the committee:

When the Supreme Court overturned *Roe v. Wade*, they effectively created two nations: one where those reproductive freedoms belong to themselves, and those whose reproductive freedom belongs to a small group of