

for deficiencies in processing and also let us know where and to what extent rape kits aren't available at all.

This month, Tennesseans—especially the people of Memphis—have been stuck in a vicious cycle of grieving and asking: What more could have been done to spare the victims of two of the most notorious killers in recent memory?

We already know that at least one brutal murder could have been prevented if the crime lab had been able to reduce their processing time for rape kits. Three more may have been prevented if the people responsible for keeping criminals in jail had done their jobs and forced a repeat violent offender to serve out a full sentence. That didn't happen. Four innocent people in Memphis are dead.

The community is heartbroken, and they are grieving. Last night, on our telephone townhall, they talked a lot about this. They talked about how it has affected them and their community.

Now, the left has spent 2 years screaming at Congress to defund the police, pull law enforcement out of neighborhoods, and eliminate consequences for violent behavior, and it is just plain frightening to see so many of my colleagues continue to go along with that rhetoric.

Tennesseans agree, and I think the American people agree also. They don't want an unfair system. They don't want innocent people to be behind bars. They want a system that works. They are tired of hearing that they are the problem—at least according to the Democrats' zero-consequences narrative. That narrative has turned criminals into victims and innocent people into villains and has left true victims wondering who was there for them. There is nothing just or equitable about that.

I would ask my Democratic colleagues to abandon the echo chamber and get on the phone. Go see and visit and listen to and hear from your sheriffs and your mayors and other law enforcement officials back home. Listen to what they have to say. They need your help.

Senator HAGERTY and I would love to have their help and support in passing the Restoring Law and Order Act. We need to move this legislation. We need to vote on it now before the crimewave gets even worse.

I yield the floor.

I suggest the absence of a quorum.

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

The bill clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

CIVIL RIGHTS COLD CASE INVESTIGATIONS SUPPORT ACT OF 2022

Mr. OSSOFF. Mr. President, I rise this afternoon in pursuit of justice for the Black men and Black women abducted, beaten, and killed during the segregation era in the American South and in retaliation for their participation in the civil rights movement.

I rise today to ask that the Senate pass the Civil Rights Cold Case Investigations Support Act to secure justice and pursue truth for the victims of those atrocities, for the victims of civil rights cold cases, and for their families—justice for folks like Alphonso Harris, a member of the SCLC who was murdered in Albany, GA, in 1966; justice for Ernest Hunter, who was killed in a physical altercation at the Camden County jail in St. Marys, GA, in 1958; justice for Caleb Hill, Jr., who was dragged at night from a Wilkinson County jail in Middle, GA, in 1949 and shot to death by a lynch mob.

Decades may have passed, but the pursuit of justice cannot and will not end. I sat down in Wilkinson County a few months ago with Caleb Hill, Jr.'s descendants, and in his name, they demand justice. By passing the Civil Rights Cold Case Investigations Support Act and by doing it with the support of Democrats and Republicans in the U.S. Senate, we will demonstrate that the United States will never rest in the pursuit of truth and justice for those who were lynched, abducted, beaten, killed, and assaulted in the segregation-era South and during the civil rights movement.

I thank Senator CRUZ for his original cosponsorship of this bipartisan legislation, and all of my colleagues on both sides of the aisle, for bringing us now to a point where, after much work, I hope that we can pass this legislation with bipartisan support.

Mr. President, I ask unanimous consent the Senate proceed to the immediate consideration of Calendar No. 451, S. 3655.

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

The clerk will report the bill by title.

The bill clerk read as follows:

A bill (S. 3655) to amend the Civil Rights Cold Case Records Collection Act of 2018 to extend the termination date of the Civil Rights Cold Case Records Review Board.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Homeland Security and Governmental Affairs.

Mr. OSSOFF. I further ask unanimous consent that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The bill (S. 3655) was ordered to be engrossed for a third reading, was read the third time, and passed as follows:

S. 3655

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Civil Rights Cold Case Investigations Support Act of 2022".

SEC. 2. CIVIL RIGHTS COLD CASE RECORDS REVIEW BOARD EXTENSION OF TERM.

Section 5(n)(1) of Civil Rights Cold Case Records Collection Act of 2018 (44 U.S.C. 2107 note; Public Law 115-426) is amended—

(1) by striking "4 years" and inserting "7 years"; and

(2) by striking "4-year period" and inserting "7-year period".

Mr. OSSOFF. I yield the floor.

The PRESIDING OFFICER. The Senator from Wisconsin.

UNANIMOUS CONSENT REQUEST—S. 1006

Mr. JOHNSON. Mr. President, I rise today to tell a story of one family's tragedy but also of two wonderful people who turned that tragedy into helping others and finding solutions.

On May 15, 2014, a 19-year-old Wisconsinite named Archie Badura died of a fentanyl overdose.

Two years later, I met his mother Lauri Badura, who testified before a field hearing I held in Pewaukee, WI, together with an emergency room doctor named Dr. Tim Westlake, who testified about the growing problem that he was seeing in his emergency room with overdoses and, in particular, overdoses with, I think, a drug that we all heard was somewhat new, fentanyl, a schedule II drug; one used in medicine but one that had been altered, the molecule changed, and produced in China and shipped through our Postal Service and was killing people like Archie Badura.

It was probably the first time I heard of what was happening to fentanyl. And so Dr. Westlake, because he was seeing the tragedy firsthand, was developing a piece of legislation that he was proposing in Wisconsin as well as on a national level.

The piece of legislation I introduced in 2017 was called the SOFA Act. The reason I called it the SOFA Act—and that stands for Stopping Overdoses of Fentanyl Analogs—is because Lauri Badura, again, who lost her 19-year-old son, turned her tragedy into helping others.

She was the go-to person for other families who also lost a loved one through overdoses, and she started an organization called Saving Others for Archie. The acronym was SOFA. So I thought it only appropriate, when working with Dr. Tim Westlake on this piece of legislation that would recognize the growing problem of these analogs, of these fentanyl-related drugs that were killing and poisoning our citizens—I thought it only appropriate to come up with a piece of legislation named after that organization with that same acronym, SOFA.

So on July 13, 2017, I introduced SOFA for the first time here in the U.S. Senate.

On November 9, 2017, because of Tim Westlake and Lauri Badura's tireless effort, a State piece of legislation, the SOFA equivalent, was signed into law in Wisconsin. And basically what this law does—it is a pretty simple law—it just allows law enforcement, the DEA, to view these fentanyl-related substances as a class under schedule I of the Controlled Substances Act.

Prior to this bill, prior to these regulations, law enforcement had to view each new molecule, each new analog as a separate drug, and they could not arrest, they couldn't prosecute, they couldn't put people in jail for selling these and poisoning our cities.

So Dr. Tim Westlake recognized that problem. I recognized that problem, and so we introduced the SOFA Act. And once DEA saw it, they thought this was a pretty good idea, and they utilized their regulatory authority and passed a regulation on February 6, 2018. They issued a temporary scheduling order that placed "certain fentanyl-related substances in schedule 1 for 2 years."

The text of that regulation was identical to the text of the SOFA law that I had introduced earlier in 2017.

Now, unfortunately, they could only issue that regulation having an effect of 2 years. So as it was about ready to run out, Congress extended that regulation in an act of Congress, and we have extended it six times. President Biden has signed that extension five times. But the problem is, the extension of that regulation runs out on December 31 of this year.

Now, the Biden administration—I think it is important to understand—in its 2021 budget proposal, called for classwide fentanyl scheduling. The DEA Administrator Anne Milgram said:

The permanent scheduling of all fentanyl-related substances is critical—

Is critical—

to the safety and health of our communities.

She added:

Class-wide scheduling provides a vital tool—

A vital tool—

to combat overdose deaths in the United States.

Now, why have we extended this regulation six times? There is no need for it. We could pass the law, which we have tried to do a number of times.

But the reason we keep extending it is because it has worked. It has helped stop the flow of these precursor chemicals coming out of China. China has actually cracked down on these analogs within China. So the regulation worked. The SOFA Act is vital, according to Anne Milgram.

Something else I want to point out about the SOFA Act is, in an almost unprecedented—this is very rare—in 2018, all 50 States' attorneys general, plus the attorney general from the District of Columbia, including current HHS Secretary Xavier Becerra, who was an attorney general for California

at the time, signed a letter to congressional leadership urging the Congress to act expeditiously and pass the SOFA Act.

This is such a commonsense piece of legislation. It works. It reduces the number of types of fentanyl on the streets killing our citizens, killing our youth, killing people like Archie Badura.

Again, the DEA had a regulation for 2 years. Congress has extended that regulation six times. All I am asking is for the Senate to pass this commonsense, lifesaving piece of legislation by unanimous consent.

And so, Mr. President, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of S. 1006 and the Senate proceed to its immediate consideration; further, that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table.

I ask this in the name of Archie Badura and on behalf of Dr. Tim Westlake and a wonderful woman, a wonderful Wisconsinite named Lauri Badura.

The PRESIDING OFFICER. Is there objection?

Mr. DURBIN. Reserving the right to object.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, I took chemistry in high school. I wasn't very good at it, but I think I got a B, and I was glad to get rid of it because I didn't understand a lot of it, and that was not where I was headed in life.

The question which the Senator from Wisconsin puts before us today is a complicated question. It seems he is—do we have a drug crisis in America? Yes. Is fentanyl dangerous? Yes. Is fentanyl deadly? Yes. Is fentanyl on schedule I, the highest possible narcotic rating under our Criminal Code? Yes.

So what is this discussion about fentanyl? Why are we at this again?

I don't know the Senator from Wisconsin's background in chemistry and the like, but here is how I understand it and why it is not as simple as paying tribute to this young man who lost his life to fentanyl. And I can come up with examples that I have run into as well. It is heartbreaking what is going on.

There are certain elements that contain fentanyl that have other chemical structures, not simple fentanyl, which is already a prohibited narcotic under American law. And these so-called analogs of fentanyl have many chemical variations. It turns out that some of them are deadly dangerous, but some of them are not. It turns out that some are deadly dangerous, and others may have a promise to be the next Narcan for the researchers.

So we have been struggling, literally, for years with a research community that says: When it comes to fentanyl analogs, don't sweep them all into cat-

egory I. Some of them may be lifesaving, as odd as that sounds. It could happen. And I have been saying it is a reasonable argument, but how long is this investigation going to go on? How long will this research continue?

We are told that it is sincere and real—it has happened under previous administrations and this administration—and that to sweep all these chemical analogs of fentanyl into this category would be, frankly, counterproductive. We may be walking away from something that is a lifesaver rather than a life-taker.

And it is because of that that we have been temporarily extending the decision to put fentanyl and its analogs on category I so that this research can establish whether, in fact, there is a lifesaver, that there is something positive in a fentanyl analog.

I have just given you the sum total of my understanding of this issue. As I said, I didn't major in chemistry and barely got through it in high school, but I think that is where we are.

I don't think there is any disagreement between us that fentanyl is deadly and dangerous and belongs on that category I.

When it comes to the analogs, they said to me: DURBIN, you are a liberal arts lawyer. Don't act like you are a chemist. Give us the time to do this right.

Mr. JOHNSON. Would the Senator from Illinois yield?

Mr. DURBIN. Sure. Yes.

Mr. JOHNSON. So I want to just make the point that there is nothing in the SOFA Act that would prevent that research from continuing, and if a molecule was found that is helpful, it can be scheduled separately.

This is just targeting the deadly drugs that are not helpful. So there is nothing in this that would prevent that type of research, which is why, you know, we have—Congress has reauthorized this or extended this six times, and the Biden administration supports this. They say it is vital that we are able to class all these fentanyl-related molecules together so that we can enforce our laws and prevent death.

So, again, there is nothing in here that prevents the research, which I would completely support. Again, molecules are amazing things, and changing them can change the characteristics, but we have to recognize how deadly fentanyl is.

We have gone from, you know, slightly more than 50,000 overdose deaths in 2015, the year after Archie Badura died, to over 107,000 last year, and we are on a path to break that record too.

So, again, this has been supported on a bipartisan basis. We have extended this.

I just have to say that the research argument just doesn't hold water.

Mr. DURBIN. There is an element that the Senator from Wisconsin may not be aware of. When a drug is on schedule I, it is prohibited to do research on it. That is the reason why we

are running into problems with cannabis, now legal in my State and maybe in your State as well.

And I raised the basic question: Are the health claims about cannabis true or false?

And they said: We cannot research it because it is on the list of prohibited drugs in the United States.

The problem is, if we put all of these analogs on the list, it is going to stop the research that we need to finish. It is a catch-22.

What we have tried to do is a temporary extension saying: Give us the final word. We have got to make a decision.

I do not quarrel with you in any way about the danger of fentanyl, but the people who do this for a living—and I can't keep up with their conversations, by and large—have explained to me: We are trying to find a good use of a fentanyl analog. Don't close the door, slam the door, by putting it on schedule I because research stops.

Mr. JOHNSON. Would the Senator yield again?

Mr. DURBIN. Yes, of course.

Mr. JOHNSON. Fentanyl is being used in medicine today, and it is on schedule II. So they can do the research off of that drug on schedule II. There is nothing preventing that—nothing whatsoever.

Mr. DURBIN. I would just say that my information is a little different. I respect the Senator from Wisconsin and his tribute to this poor young man who lost his life, but we are trying to do the sensible thing. Fentanyl itself is going to continue to be branded a dangerous drug, titled in category 1. But Federal analogs and a variation on that theme is what we are discussing, and for reasons—I am trying to bow to the experts in science and research—on a temporary basis. Believe me, if they have got something, we want to see it. If not, we are going to categorize them as schedule I. So for the reasons I have mentioned, I am going to object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Wisconsin.

Mr. JOHNSON. Mr. President, again, I find that unfortunate. I would hope that the Senator from Illinois would not at least object to Senator GRASSLEY coming on the floor looking for another extension of this.

Again, the DEA Administrator says this is vital. So I hope that, at a minimum, we can extend this for a seventh time, and then maybe we can come back when some of these issues are resolved and maybe finally pass SOFA possibly in the next Congress.

I yield the floor.

Mr. DURBIN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

The Senator from Iowa.

UNANIMOUS CONSENT REQUEST—S. 1216

Mr. GRASSLEY. Mr. President, home should be the safest place in the world for a child. It used to be that parents could breathe a little easier once they locked the front door, knowing that their child was safe on the inside.

For some reason or other, not anymore is that the case. Drug dealers have found ways into our homes through social media. Now, more and more children are dying alone at night in what should be the safest place for them, in their own bedrooms.

That is where Deric and Kathy Kidd found their son Sebastian, unresponsive, on the morning of July 30, 2021. He was slumped on his bed, still in his street clothes.

Sebastian was a high school senior in Des Moines, IA. He took half of what he thought was a pain pill. It was actually fentanyl. Sebastian's parents should have had the rest of their lives with him. Instead, they buried their 17-year-old son.

Congress has responded in the worst possible way to parents like the Kidd family. We have responded with inaction. I am disappointed that my Democrat colleagues have tried to block fentanyl analog scheduling. Under this Democrat-led Congress, the reauthorization periods of fentanyl analog scheduling keeps getting shorter and shorter, and bipartisan talks about permanent scheduling have all dropped. And if you don't have bipartisan talks, nothing happens in the U.S. Senate. That is what it takes to get things done in a body that takes a supermajority of 60 to stop debate to get to finality.

It doesn't matter if you are a rank-and-file Democrat or Republican, fentanyl is a problem for all of us. It is time that we start treating it like the problem it is. We can't keep ignoring law enforcement's requests for fentanyl analog scheduling. Police are the folks responding to fentanyl poisoning. Police are the ones putting their lives on the line facing off with cartels, and police are asking us to extend classification of fentanyl analog as schedule I substances.

Who are we to deny the police when they say what they need? We all agreed that fentanyl analog scheduling was necessary in 2020 when we unanimously extended it by 15 months. Even career officials in the Biden administration agreed that fentanyl analog scheduling was necessary when they asked Congress. The Biden administration asked Congress to permanently schedule it.

But here we are on the brink of fentanyl analog scheduling—the expiration of it. Families and law enforcement alike are panicked that we let this authority disappear. Temporary fentanyl analog scheduling cannot lapse while we hash out more permanent solutions.

We have all voted this provision into law before. We have been warned that

more parents will have to bury their children if we do not pass it.

So, I have this motion.

Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 45, S. 1216; further, that the Grassley amendment at the desk be considered and agreed to; that the bill, as amended, be considered read a third time and passed, and the motion to reconsider be considered made and laid upon the table with no intervening action.

The PRESIDING OFFICER. Is there objection?

Mr. DURBIN. Mr. President, reserving the right to object.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, I believe the Senator from Iowa is sincere and accurate as he describes the fentanyl challenge we face in the United States. He tells the story of losing an Iowan. Sadly, I can tell a similar story in my home State of Illinois.

We currently have a temporary answer to this situation that extends until December 31 of this year, and admittedly, it is coming on us, but it isn't tomorrow. It will be in just a few months.

One of my colleagues on the committee, Senator CORY BOOKER, has a particular expertise and interest in this issue, but, unfortunately, he could not be here at this moment when the Senator from Iowa made his motion. On his behalf, so he has an opportunity to discuss this with the Senator from Iowa and perhaps find a path through our differences, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. GRASSLEY. Mr. President, I appreciate the chairman's right to do that. I appreciate his position on this whole problem that we are trying to deal with. I am just sorry that Senator BOOKER had to have people object for him.

It is not right. How many people have to die before we do something about it? Last year, there were over 107,000 overdose deaths, with 70,000 due to fentanyl-related substances—200 opioid overdoses in the State of Iowa.

Somebody has got to wake up around here and realize that we can do something about it. The Biden administration wants us to do something about it, and one person—not Chairman DURBIN, but other people—stands in the way. It is just not right.

I yield the floor.

The PRESIDING OFFICER (Ms. SMITH). The Senator from Ohio.

HURRICANE IAN

Mr. PORTMAN. Madam President, before I rise to talk about Ukraine tonight, I want to join my colleagues in extending my prayers to all those who are currently in Florida, in the area, and those with loved ones and family there who are in Hurricane Ian's dangerous path this evening.

UKRAINE

Madam President, I come to the floor tonight to talk about Ukraine. This is

the 24th week in a row I have come to bring to the attention of my colleagues what is happening in this part of the world where Russia has attacked a sovereign and democratic country with brutality.

I come to talk about the latest news of Russia's illegal and unprovoked war on Ukraine and to ensure that my colleagues know how important it is that we do follow up with our commitment to Ukraine and pass the legislation that is on the floor this week to provide supplemental funding to the Ukrainian Government, to their military, and also for the humanitarian effort.

I will also highlight tonight the continued Ukrainian counteroffensive up here in the northeast part of Ukraine, where there has been a good deal of success.

The light blue is parts of Ukraine that have been liberated just in the past few weeks. It is about 3,000 square miles. The red is parts that are still occupied by Russia.

I will talk about the sham "referendum" that President Putin announced just last Wednesday and then took place over the weekend, the reasons for and consequences of Russia's recent decision to draft an additional 300,000 troops, as well as Vladimir Putin once again threatening a nuclear attack.

I will also discuss the vote in this body—again, this week—because we, in the next couple of days, are going to decide whether to provide additional funding for Ukraine. It is so important we continue to provide that support at this crucial juncture, just as Ukraine is making progress and pushing back against Russia's war of aggression.

Last week, I touched on the extraordinary success of this counteroffensive. As you will recall, Ukraine launched a surprise lightning counteroffensive here in the northeastern part of the country, which caught Russian forces off guard. In a matter of days, Ukraine liberated over 3,000 square miles of territory and sent the invaders rushing back to Russia and back to eastern parts of Ukraine.

To the north, Russian forces have been pushed back to the international boundary here and over into Ukraine or some into Belarus.

Along this front line is a river. It is the Oskil River, which many thought would be a natural barrier to block Ukraine from making further gains. Yet, as we have seen in the last week, Ukrainian forces have actually managed to cross this river and establish major bridgeheads, including one here at Kupiansk right here and also one here east of Izyum. Izyum is the place where, unfortunately, there were all sorts of atrocities discovered when the liberation took place. There has been additional Ukrainian success here and progress crossing the river to the east of Izyum.

As you will see from the map, a key city called Lyman will soon be sur-

rounded by three sides. When Lyman is surrounded by three sides, it will be very difficult for Russia to defend it. The sense is that the invaders there will be forced to either surrender or retreat.

Clearly, Ukraine continues to have the momentum here in the northeast; again, therefore, exactly the time for us to continue to support Ukraine.

U.S. funding has made a huge difference. The actions of this body and the House of Representatives and the administration in providing this help to Ukraine has allowed for successes that were unimaginable 7 months ago when Russia initiated this latest invasion. They have actually stopped and are now pushing back a Russian army that is much larger and with a lot more heavy equipment.

Our support, along with that of over 50 countries around the world—and let me underline that. Fifty countries around the world or more have now provided military assistance to Ukraine. That has helped enable the survival of this country as a free and independent Ukraine.

Yesterday, I had the privilege to host Ukraine's Ambassador to the United States, Oksana Markarova, along with Ukraine's Parliament. We heard firsthand from them how the weapons we are providing are making a huge difference on the battlefield.

One of the parliamentarians had just returned from the region, the northeast region we talked about. She was just in the area of Kharkiv, and she said that the soldiers there told her: Please, go back to the United States and say thank you because these weapons you are giving us—particularly, they focused on the HIMARS—are making such a huge difference.

These HIMARS are long-range missile systems, and they have changed the tide of this war.

Along with more ammunition and equipment, of course, we have to continue to insist on total transparency to ensure that the end use is being monitored. "End use monitoring" is the term that the 101st Airborne used when I talked to them in Poland about the U.S. weapons that are going into the country.

This is an example. HIMARS is an example. We know now from public information there are 16 of these HIMARS from the United States. There are also some from the UK—not exactly the same weapon but a similar weapon—and also some from Germany. Those 16 remain undamaged, which is extraordinary, and they have been incredibly useful.

But we need to ensure that all this equipment goes to the right place to ensure there is no fraud, no diversion of weapons. In my visits to the region, including a month ago, I did speak to U.S. military officials both in Poland and in Ukraine, who provided details on how they are tracking U.S. and other weapons to ensure they are not diverted from the Ukrainians and from the frontlines.

This end-use monitoring, which as our military explains it is, according to them, being implemented in ways never done before; and they claim the Ukrainian Government and military are full partners in these accountability measures. That is what I heard as well. I heard that from the President of Ukraine, President Zelenskyy; and I heard it from all the Ukrainian officials, including the Parliamentarians with whom we met, that they want to have total transparency. They think it is in their interest as well.

Of course, Russian disinformation is trying to convince media otherwise. Let me give you an example of that. Over the weekend, a BBC investigation revealed allegations from Russia media sources that were picked up, frankly, by some U.S. and European media—which is a warning, I think, to our own media to be careful and check your sources—but the reports from the Russian media was that U.S.-supplied weapons were being sold on the black market in Ukraine. BBC determined that was entirely false.

Russians had posed as Ukrainians on the dark web pretending to sell these weapons in order to undermine American and European confidence in Ukraine's ability to control these weapons. It turns out it was a totally false narrative peddled by the Russian Government in order to sow division between Ukraine and its allies. The BBC report again affirms what I've heard in the region, that our military aid to Ukraine is getting into the right hands and is not being diverted for malign purposes.

A specific example of what we had provided that is making a difference are these HIMARS, as we talked about. By all accounts, Ukrainian forces have used these really creatively to be able to disrupt the logistics of the Russian Armed Forces. They have been striking behind enemy lines to destroy Russian ammunition depots, logistics hubs, command and control outposts. Prior to the HIMARS, only the Russians had long-range artillery, and they could fire on Ukrainian civilians and military with impunity. Finally, they have the ability to push back. These weapons have enabled this spectacular counteroffensive we saw in the northeast to be able to succeed. So when we give the Ukrainians weapons they have actually been asking for, they actually need, they use them effectively, and it is working.

In the clearest sign yet that Russia is feeling desperate, last week President Putin announced a new draft, a mobilization of at least 300,000 soldiers to support his troubled war on Ukraine. Remember, President Putin promoted his "special operation" in Ukraine as a special military operation that would not touch the lives of ordinary Russians. It would be quick; it would involve minimal casualties; it would bring great glory to Russia.

Now after 7 months, tens of thousands of casualties, a substantial part

of their military equipment being lost on the battlefield, and global outrage at what Russia is doing, President Putin is being forced to implement Russia's first mass mobilization since World War II to bolster his failing war effort. This is an act of desperation, and it is deeply unpopular among the people in Russia. According to reports, antimobilization protests in 38 Russian cities saw more than 1,300 people arrested just last week. Here are some of those demonstrations.

The punishment for many of those detained, by the way, if they are males between the ages of, say, 18 and 50, is to be forcibly conscripted. Meanwhile, several Russian enlistment offices have been burned down by citizens armed with Molotov cocktails who want nothing to do with Putin's war in Ukraine.

In fact, the announcement of the mobilization has caused many thousands of military-aged men to flee Russia to avoid being sent to war. It is reported that airline tickets out of Moscow have reached \$5,000 or \$10,000 or more, and flights are totally sold out. Car traffic at Russia's international borders have caused massive traffic jams, as those who can't fly out of Russia try to drive out to get away from the conscription. Here is an example with the border with Georgia. You can see these cars lined up for miles.

Russia is so desperate that they are recruiting just about any able-bodied man just to get bodies in to fill their ranks. These are not military-trained individuals. They are letting prisoners out of jail if they promise to fight. Despite the official policy that this mobilization will only draft men with prior military experience, they will take anyone. In the Irkutsk region of Russia, a young man shot and killed a military commissar who was attempting to conscript his friend who had no prior military experience. President Putin is breaking his promises to the Russian people, and they are responding.

Russia's desperation has shown itself in other ways too. After numerous postponements, Moscow-backed occupation officials in Luhansk, Kherson, Zaporizhzhia, and Donetsk Oblast suddenly announced last Tuesday they would hold immediate referendum to join Russia, which they completed over the weekend. In typical Russian fashion, these so-called referenda are not free or fair. The results have been preordained in Moscow, and the actual conduct of the voting is just theater. There are a lot of videos circulating—and you have probably seen them—of online videos of armed Russian soldiers going door-to-door to conduct these illegal referendum. So you have an armed soldier with an automatic weapon next to an election official asking someone how they are going to vote. Here is an example of one of the photographs that somebody bravely took of a Russian soldier literally looking over the shoulder of a Ukrainian citizen. How can any Ukrainian vote against

the referendum in the face of an automatic rifle? The European Union, the United Nations, the United States, and others, of course, have called these sham elections. It appears that Russia thinks by claiming these territories as theirs, it can justify now their use of chemical, biological, or even nuclear weapons in order to defend what Putin would call his own sovereign territory. Of course, no matter what Russia says, this—all of this—is Ukrainian territory. It is sovereign Ukrainian territory. And a sham referendum is only a Russian escalation of their illegal and unprovoked war on Ukraine.

So the results this week are predictable. You can look for them. It will be 95 percent. It will be 98 percent. The process won't be fair. It will be done with flagrant disregard for Ukrainian law and for international law. Russia's actions reveal their weak hand, and the world is not fooled. UK defense secretary Ben Wallace said that the partial mobilization and the annexation of parts of Ukraine are an admission, as he said, of Mr. Putin's invasion failing. Ambassador to Ukraine Bridget Brink called the announced measures "signs of weakness."

We must make it clear that the United States will never recognize Russia's claims to these annexed territories. President Putin's veiled threats last week and again this week, some say, to use nuclear weapons to defend illegally annexed territory have received a good deal of media attention. First, it should be noted, he has made similar threatening statements in the past. But he also knows that the use of nuclear weapons would be catastrophic for his own country. As the Washington Post said over the weekend:

There are no military gains to be had from a nuclear attack that indiscriminately incinerates everything in its path and leaves the land uninhabitable.

The nuclear fallout of attacking neighboring Ukraine, of course, will also affect Russia and its citizens. Meanwhile, if he were to act on such a threat, President Putin would immediately turn his country into even more of a pariah than it is now, and there would be a severe consequence, as the United States has warned.

Nuclear weapons have not been used since World War II, almost 80 years ago. Using them now would plunge us into a far more dangerous world, and the world would never forgive President Putin. The countries that have taken a neutral stance on this brutal conflict would quickly change their tune, and the resolve of the West and so many other countries to stand against Russian aggression would only increase. This conflict has shown that when push comes to shove, the alliance actually comes together to protect Ukraine; it binds together.

Nuclear blackmail cannot be allowed to work. Responding to Vladimir Putin's reckless threats by pulling back would only reward bad behavior and create a more dangerous and vola-

tile world. Appeasement does not work. In response to these threats, it is crucial that we continue to support Ukraine while making clear to Russia that there will be enormous costs for use of a nuclear weapon. National Security Advisor Jake Sullivan said on Sunday morning that "any use of nuclear weapons will be met with catastrophic consequences for Russia."

This battle for freedom transcends this Congress; it transcends partisanship. We all know who the aggressor is in this fight. The people of Ukraine have never asked for anything other than peace and to be able to live with their neighbors, including Russia, in peace; the right to exist as a sovereign, independent nation. Russia's illegal and unprovoked war is an attack on their fundamental right to self-governance.

We have all seen the evidence of war crimes: the torture, the rape, the killings of innocent Ukrainian civilians and noncombatants, the videos of Ukrainian soldiers being tortured with box cutters, and the mass gravesites. NATO's response last week to the Russian atrocities in Izyum this past week was to reaffirm "our unwavering support for Ukraine's independence, sovereignty, and territorial integrity . . . and for Ukraine's inherent right to self-defence. NATO allies remain resolute in providing political and practical support to Ukraine as it continues to defend itself against Russia's aggression."

Global support for Ukraine has increased in response to the increasing number of atrocities being committed by Russian soldiers. I was able to hear about this firsthand last week when I met with Ukrainian Prosecutor General Andriy Kostin about the ongoing global effort to hold Russia accountable for their war crimes, which are a clear violation of international law. We discussed ways the United States can aid Ukraine in its effort to investigate and prosecute cases of war crimes conducted by Russian soldiers in Ukraine. Last week, I talked about the mass graves of people tortured and executed in the city of Izyum. Who knows how many more are out there. The evidence of this genocide grows every day, and every day the anger against Russia grows alongside it. So far, we believe these war crimes have resulted in the deaths of at least 7,300 civilians, including 391 children.

The West and our allies must all recognize that these Russian atrocities will not stop until Russia believes the costs are too high, until there are more Ukrainian victories on the battlefield, and until the sanctions are more effective at cutting off funding to Russia's war machine. Russia needs to feel the squeeze. We talked about this in the Senate Foreign Relations Committee hearing today. That is the only way this Russian brutality, this madness, ends. For the sake of global freedom, Ukraine must be allowed to end this war on its terms, not on Russia's

terms. To get to that point requires us to continue supporting Ukraine, to keep the momentum going. What would it say if we backed down now?

In an address before the United Nations last week, President Zelenskyy said:

Ukraine wants peace. Europe wants peace. The world wants peace. And we have seen who is the only one who wants war.

Secretary of State Blinken summed it up:

If Russia stops fighting, the war ends. If Russia stops fighting, the war ends. If Ukraine stops fighting, Ukraine ends.

I encourage the Senate to act with a united voice in support of the people of Ukraine. By providing additional funding, the battlefield gains can continue; the government in Kyiv can continue to operate; Ukrainian prosecutors can investigate more war crimes and bring the perpetrators to justice.

As Russia continues their ruthless attack on freedom and democracy, it is our duty to stand up for what we believe to be true: that life, liberty, and the pursuit of happiness will always win in the fight against tyranny. And it is working. Ukrainian liberators have taken back cities across Ukraine, as we have seen. It is working. And unlike Russia, the morale of the Ukrainian people and the troops is strong. Their determination is strong.

We must continue to let the world know we stand with Ukraine. And as I have heard from multiple meetings with Ukrainian officials, including some of the Parliamentarians we were with yesterday, they said: Freedom must be armed.

And the United States must be there to lead that effort to ensure that freedom's flame is not extinguished in Ukraine.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

URGING THE GOVERNMENT OF BRAZIL TO ENSURE THAT THE OCTOBER 2022 ELECTIONS ARE CONDUCTED IN A FREE, FAIR, CREDIBLE, TRANSPARENT, AND PEACEFUL MANNER

Mr. SANDERS. Madam President, I ask unanimous consent that the Committee on Foreign Relations be discharged from further consideration and the Senate now proceed to S. Res. 753.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 753) urging the Government of Brazil to ensure that the October 2022 elections are conducted in a free, fair, credible, transparent, and peaceful manner.

There being no objection, the committee was discharged and the Senate proceeded to consider the resolution.

Mr. SANDERS. I know of no further debate on the resolution.

The PRESIDING OFFICER. Is there further debate?

If not, the question is on adoption of the resolution.

The resolution (S. Res. 753) was agreed to.

Mr. SANDERS. I ask unanimous consent that the preamble be agreed to and that the motions to reconsider be considered made and laid upon the table.

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

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of September 7, 2022, under "Submitted Resolutions.")

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Madam President, I have risen today to ask unanimous consent for S. Res. 753, expressing the sense of the Senate on the upcoming election in Brazil.

This Sunday, October 2, Brazil will hold its Presidential election. According to many polls, it appears that the two major candidates are President Jair Bolsonaro and former President Lula da Silva. If no candidate receives over 50 percent of the vote, there will be a runoff election between the top two candidates on October 30.

Madam President, over the past several months, Brazilians from all sectors of society have publicly expressed serious concern about ongoing efforts to undermine democracy in their country, including close to 1 million Brazilians who signed an open letter released on July 26, defending the democratic institutions of Brazil and the rule of law.

And there is a very good reason why these people in Brazil signed that letter. And that is that the current President, and candidate for reelection, Mr. Bolsonaro, has made some very provocative statements which suggest that he might not accept the election results if he loses. In other words, he might attempt to destroy Brazilian democracy and remain in power no matter what the people of Brazil determine in a free, fair, and democratic election.

And let me just quote some of what Mr. Bolsonaro has been saying over the last several years. Back in September 2018, before he won his election, Bolsonaro stated:

I will not accept an election result that is not my own victory.

On September 7, 2021, as reported by the Financial Times, Mr. Bolsonaro stated:

There are those who think they can take me from the presidency with the mark of a pen. Well, I say to everyone I have only three possible fates: arrest, death or victory. And tell the bastards I'll never be arrested. Only God can take me from the presidency.

According to Human Rights Watch, previously, President Bolsonaro had claimed, without providing any evidence, that the last two Presidential elections were fraudulent, including his own election, in which he claimed he got more votes than the final tally showed.

But it is not just Bolsonaro's words that should be of concern to those of us who believe in democracy. According

to a recent survey by the Federal University of the state of Rio de Janeiro, Brazil is facing a 335-percent increase in violence directed against political leaders in 2022 relative to 2019.

Last month, a Workers' Party official was shot dead by a Bolsonaro supporter. Yesterday, Reuters reported that the Federal Police guarding former President Lula da Silva, who is the current frontrunner to unseat Bolsonaro, sent a classified memo to senior colleagues across Brazil calling for backup in order to protect Lula from possible assassination attempts.

It is clearly not the business of the United States to determine who the next President of Brazil is or to get involved in Brazil's Presidential elections in any way. That is a decision to be made solely by the people of Brazil through a free and fair election. But it is the business of the United States to make clear to the people of Brazil that our government will not recognize or support a government that comes to power through a military coup or the undermining of a democratic election.

In that regard, I have asked to receive unanimous consent today for a resolution that I introduced with Senator TIM Kaine, the chair of the Senate Foreign Relations Subcommittee on the Western Hemisphere. That resolution is also cosponsored by Senators DURBIN, LEAHY, MERKLEY, BLUMENTHAL, and WARREN.

I would also like to thank Senator MENENDEZ, the chair of the Senate Foreign Relations Committee, for allowing this resolution to come to the floor.

This resolution is very simple and straightforward. It does not take sides in Brazil's elections. All it does is express the sense of the U.S. Senate that the U.S. Government should make unequivocally clear that the continuing relationship of the United States and Brazil depends upon the commitment of the Government of Brazil to democracy and human rights.

It urges the Biden administration to make clear that the United States will not support any government that comes to power in Brazil through undemocratic means and to ensure that U.S. security assistance to Brazil remains compliant with our laws related to the peaceful and democratic transition of power. This includes longstanding legal restrictions on the provision of security assistance in the event of a military coup.

In my view, it is imperative that the U.S. Senate make it clear through this resolution that we support democracy in Brazil. It would be unacceptable for the United States to recognize a government that came to power undemocratically, and it would send a horrific message to the entire world if we did that.

It is important for the people of Brazil to know we are on their side, on the side of democracy. This resolution sent that message. And I thank my colleagues for supporting it.

With that, I yield the floor.