

current role within the Department's policy office, Mr. Wolf has engaged in productive dialogue with the Homeland Security Committee. In particular, I have personally appreciated his willingness to recognize the growing threat of domestic terrorism and White supremacist violence and the need for the Department to do more to keep our communities safe.

However, Mr. Wolf's tenure as chief of staff to former DHS Secretary Nielsen raises serious concerns about his judgment and, in particular, his involvement in some of this administration's most misguided and harmful policies. As part of the Senate's constitutional responsibility to provide advice and consent, I have repeatedly asked DHS to provide documents directly related to Mr. Wolf's time as Secretary Nielsen's top adviser. However, the Department has failed to comply, leaving Congress without the information needed to fully and fairly evaluate Mr. Wolf's qualifications to serve as Under Secretary, let alone run the entire Department of Homeland Security.

Unfortunately, this disregard for Congress's constitutional role as a check on the executive branch is not an isolated occurrence. Instead, it appears to be a defining feature of this administration.

The Constitution requires that the President's nominees to hold key positions receive the advice and consent of the Senate. The Framers knew this arrangement was necessary to ensure that those who hold the most powerful and influential positions in government are accountable not solely to the President but to Congress and, most importantly, to the American people.

However, this President has shown a willingness to abandon the foundational principle of advice and consent and to test the limits of his legal authority to unilaterally install acting officials of his choosing. This has resulted in far too many critical positions going unfilled.

At the Department of Homeland Security, all three top positions—Secretary, Deputy Secretary, and Under Secretary for Management have been vacant for more than 7 months, and the President has yet to name a nominee for any of those roles. Other key DHS components have seen temporary leaders come and go for months—even years—without a nominee for the Senate to consider. This President has declared that he prefers “acting” officials because it “gives [him] more flexibility.”

Leadership turnover and acting officials are a part of every administration, but widespread and deliberate reliance on temporary leaders defies the constitutional principle of advice and consent, harms the Department's critical national security missions, and puts the American people at risk. The dedicated men and women at DHS who are working tirelessly to keep our country safe deserve much better. The American people deserve much better.

To his credit, I believe Mr. Wolf recognizes the untenable situation caused by the President's refusal to submit nominees to the Department's highest offices. When asked about the impact of vacancies across the top ranks of DHS, he stated “I believe having Senate-confirmed leaders in the senior levels of any cabinet agency is a benefit to the morale of the workforce and the success of the agency.”

I continue to urge the President to nominate qualified, principled leaders to lead the Department of Homeland Security. I remain committed to working with my colleagues on both sides of the aisle to carry out our constitutional duty to provide advice and consent by promptly, fairly, and thoroughly vetting the President's nominees. I am also committed to working across the aisle in Congress to ensure that the Department of Homeland Security has the resources and authorities it needs to keep Americans safe and to provide oversight—robust oversight—of the Department's actions and use of taxpayer dollars.

I have sought to fully and carefully weigh Mr. Wolf's qualifications for Policy Under Secretary. Unfortunately, due to the lack of transparency in Mr. Wolf's involvement in very troubling Department decisions, I cannot support his current nomination, much less his elevation to Acting Secretary.

If he is confirmed, I will do my part to support Mr. Wolf and help him be successful in an incredibly important job while also working to hold him accountable. But today, I will be voting no on his confirmation, and I urge my colleagues to do the same.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Chad F. Wolf, of Virginia, to be Under Secretary for Strategy, Policy, and Plans, Department of Homeland Security. (New Position).

Mitch McConnell, Roger F. Wicker, Mike Rounds, Rick Scott, John Barrasso, Kevin Cramer, Richard Burr, Steve Daines, James E. Risch, John Cornyn, John Boozman, John Hoeven, James Lankford, Todd Young, David Perdue, John Thune, Lamar Alexander.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Chad F. Wolf, of Virginia, to be Under Secretary for Strategy, Policy, and Plans, Department of Homeland Security, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

(Ms. ERNST assumed the Chair.)

Mr. THUNE. The following Senator is necessarily absent: the Senator from South Dakota (Mr. ROUNDS).

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. BOOKER), the Senator from California (Ms. HARRIS), the Senator from Rhode Island (Mr. REED), the Senator from Vermont (Mr. SANDERS), and the Senator from Massachusetts (Ms. WARREN) are necessarily absent.

The PRESIDING OFFICER (Ms. MCSALLY). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 54, nays 40, as follows:

[Rollcall Vote No. 353 Ex.]

YEAS—54

Alexander	Fischer	Paul
Barrasso	Gardner	Perdue
Blackburn	Graham	Portman
Blunt	Grassley	Risch
Boozman	Hawley	Roberts
Braun	Hoeven	Romney
Burr	Hyde-Smith	Rubio
Capito	Inhofe	Sasse
Cassidy	Isakson	Scott (FL)
Collins	Johnson	Scott (SC)
Cornyn	Kennedy	Shelby
Cotton	Lankford	Sinema
Cramer	Lee	Sullivan
Crapo	Manchin	Thune
Cruz	McConnell	Tillis
Daines	McSally	Toomey
Enzi	Moran	Wicker
Ernst	Murkowski	Young

NAYS—40

Baldwin	Hassan	Rosen
Bennet	Heinrich	Schatz
Blumenthal	Hirono	Schumer
Brown	Jones	Shaheen
Cantwell	Kaine	Smith
Cardin	King	Stabenow
Carper	Klobuchar	Tester
Casey	Leahy	Udall
Coons	Markey	Van Hollen
Cortez Masto	Menendez	Warner
Duckworth	Merkley	Whitehouse
Durbin	Murphy	Wyden
Feinstein	Murray	
Gillibrand	Peters	

NOT VOTING—6

Booker	Reed	Sanders
Harris	Rounds	Warren

The PRESIDING OFFICER. On this vote, the yeas 54, the nays are 40.

The motion is agreed to.

JUDICIAL CONFIRMATIONS

Ms. BLACKBURN. Madam President, over the past few months, pro-democracy protestors in Hong Kong have captivated the American consciousness with one of the most stunning mass protests in recent memory. Hong Kong people are no strangers to suppression. They are used to the censorship, digital stalking, and persecution embraced by their overlords in Beijing, and they have seen firsthand the dangers of tyranny.

Watching these protests play out got me thinking about the core values that

we as the American people share with the Hong Kong people and with so many others around the globe. There is really an interesting dichotomy at play: You can turn on the TV right now and see an entire population fighting desperately on behalf of free speech, self-expression, and the right to question their leaders' decisions.

Meanwhile, just a few countries away, the loudest voices in the newsroom are begging for just the opposite. Here in the U.S., Americans are constantly being asked if freedom is really worth the fight. Is it worth the never-ending battle to maintain it? The answer is absolutely.

When Americans look at the protests in Hong Kong, they do not see a foreign policy gray area; they see scores of revolutionaries fighting an evil regime. They identify with the disrupters, and they cheer for the underdogs who do not pull their punches, which is why, in 2016, they sent a disrupter to the White House.

They watch the hysteria that is cable news commentary and get the sense that the people on the screen have completely missed the point. The fight is not and never will be about one person or one movement. It is about the decision to protect liberty or to let liberty die; to protect justice or to let it die. To dismiss this point is to disparage the most important feature of the collaborative American psyche. When asked if freedom is worth fighting for, the answer will always be yes.

The calculus flows into discussions on almost every aspect of American life. Most recently, at home and in this Chamber, debate has centered on the ideological makeup of the Federal judiciary. We have repeatedly asked ourselves: Will the judges we are confirming respect and protect the core values of the American people? The answer is yes, they absolutely will.

This is not the first time the American public has swung back around to consider our "first principles." We talked about them in the early 90s and again—perhaps more passionately—in the early 2000s. Last week, I was fortunate enough to attend an event at the White House celebrating our success in confirming well-qualified, constitutional judges to the Federal bench. We have filled 158 vacancies since 2017, and we are far from done.

I am sure, however, that my friends in the minority wish we would give it a rest, but we won't. After all, they have had to work overtime trying to convince the American people that our job is to impose by judicial decree policies that were rejected at the ballot box. They want to do this without the benefit of legislative debate or public comment, which means that confirming constitutional judges is far from being in their best interest.

So here they come, insisting that "constitutionalism" is a dog whistle for racism, sexism, homophobia, and holding regressive and extreme ideas.

What a ridiculous strategy. The bipartisan nominees this body has con-

firmed proved they are capable of resisting the urge to get creative with the law when it suits the loudest voices in the room. Instead, they apply the same foresight employed by the Founding Fathers. These judges know that permitting the government more powers to mold and manipulate society will give rise to a government that will never resist the temptation to overstep its bounds.

Our courts are not courts of public opinion, and my friends in the minority would do well to remember the cost of treating them as such. Constitutionalism is our legacy and our inheritance. I urge my colleagues to remember this because we are going to vote to confirm judges who have proven themselves committed to defending our core values and the rule of law in the United States of America.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Madam President, I ask unanimous consent that I be recognized as in morning business for such time as I use.

The PRESIDING OFFICER. Without objection.

CHINA

Mr. INHOFE. Madam President, I am here today to talk about an important vote that I took 19 years ago, a vote about free trade from China. Now, you might say it is a little out of character, coming down to the floor and talking about free trade and China, because normally I am down here talking about how China is investing in their military at unprecedented rates or how they are passing us up in terms of our military, which we saw in the last administration.

The reality is that when it comes to China—which is entirely controlled by a tyrannical Communist party—you cannot separate their trade behavior from their military like you can in a democratic government. China asserts its power both economically and militarily to the detriment of the free world.

So 19 years ago, I came down to the Senate floor and took a stand against the tyrannical regime in China. The vote was on whether or not to allow the Chinese Government normalized trade relationships with the United States that would pave the way for China to join the World Trade Organization.

At that time, it was not popular—it was not popular for any Member of the Senate who stood in the way of free trade agreements, much less a Republican. But as I saw it then, the vote did much more than open up trade. It granted favors to an authoritarian regime, despite their openly predatory actions, without demanding concessions in return. My colleagues claimed that opening China to free trade would cause China to change their behavior. Clearly, that did not happen, but I will get to that in a minute.

Filled with the false hope and empty promises, the trade agreement sailed

through the Senate, 83 to 15, and was signed by then-President Clinton. Now, I am the only one of those 15 "no" votes still serving in the United States Senate. Today, 19 years later, we have seen the reality of what I thought would happen. At the time, I said—and I am quoting from my speech 19 years ago—"We cannot allow the pursuit of dollars to blind us to certain realities about the ruling communist regime in China, including"—keep in mind, I am going to read all eight of these that I had mentioned 19 years ago—"repeated threats against the United States and Taiwan"—still going on today; "massive military modernization and buildup"—still going on; "proliferation of dangerous weapons to rogue states. Theft of U.S. nuclear secrets"—still going on; "demonstrated strategy to exploit commercial relationships to acquire advanced military technology," that is still going on today; "attempts to corrupt the U.S. political system. Violation of international agreements. Brutal repression of dissidents." We know that is happening.

I continued: "To ignore these actions in the belief that they can be separated from what we do in our trading relationship is dangerously misguided. China's trade surpluses are helping to finance the regime's military buildup and aggressive foreign policy, while strengthening its hold on economic and political power."

I do not take any pride in being right, because the outcome has been devastating for the American workers. China has stolen our technology and personnel secrets and taken millions of U.S. jobs over the past two decades. The facts today show it.

Let's go through quickly a few of what we predicted two decades ago and see where we are today. First, the threats against the United States and Taiwan, that is pretty clear. Just look at China's reaction to the recent routine arms sale to Taiwan of tanks and Stinger missiles. Keep in mind, China has known since 1979 that we sell arms to Taiwan to aid in their self-defense. Everyone knows that.

They threatened that they were prepared to go to war to defend their "unity and territorial integrity"—over a routine arms sale. In the past year alone, Beijing has frequently threatened to use force against any who opposed the Communist Party's designs on Taiwan, so despite free trade, China has not stopped their threatening behavior toward the United States and Taiwan.

Secondly, massive military modernization and buildup. We know that is still going on. It is obvious to everyone that China has not changed their behavior on this because of free trade. It has emboldened them. China has become more aggressive as our free trade system has subsidized their economy.

Some key facts: Over the last decade, the Chinese Government has grown their military spending—look at the chart when I read this—has grown their