

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

military spending by 83 percent. That is over the last decade. Meanwhile, during the last 5 years of the Obama administration, we decreased our military spending by 25 percent. We decreased our military spending while China had increased theirs by 83 percent.

That is why, today, China is able to build ships at a faster rate than we are and is on pace to surpass the number of vessels by 2030. That is why China is investing heavily in cyber capabilities, aviation, artillery, and hypersonic weapons—hypersonic weapons, the most sophisticated new weapons they have, the weapons that move at five times the speed of sound. Actually, before the Obama administration, we were ahead of both China and Russia. At the end of that administration, we are behind them, and we are catching up now. Each capability, if not superior to ours, has the potential to do us significant harm.

In 2018, I visited our allies in Southeast Asia, where I saw the Chinese military buildup in the South China Sea for myself.

You remember the islands they created. This is not taking over territory; it is creating territory because those islands weren't there. They have islands in the South China Sea. The Chinese, at last count, I believe, were at seven islands. When you go in and look at it, you become convinced they are preparing for a world war III.

China, prior to that time—this is only 3 years ago—had always done their military in their home territory. It has always been in China until they went in Djibouti—that is the northern part of Africa—and they started their own activity there. Now they are all the way down to Tanzania, in that part of the world.

The Department of Defense official expects the Chinese to open more bases, too, in the Middle East, in China, in Southeast Asia, and in the Pacific. They are all strategically important locations.

When I talked to our allies in the Pacific, they are concerned, and many are beginning to hedge their bets because they see what China is doing. We are talking about the South China Sea. We are talking about our own allies who have historically been our allies. All of a sudden, they are starting to have second thoughts. They are seeing what China is doing, but they don't see us doing anything. After 8 years of President Obama's weak leadership, it is getting more difficult for us to prove to them that we are actually interested in standing up to China's aggression.

Third, the theft of U.S. secrets—we know about that. There is an old saying: What China doesn't have, it steals. That is even more apparent today than it was in 2000. China is still actively pursuing and stealing some of our most valuable military secrets. Just last year, China hacked a Navy contractor and stole massive amounts of classified data. That practice isn't new, but it is

still having serious impacts on our ability to get ahead of China's militarily.

We are seeing an alarming rise in how China steals industrial secrets. They do it out in the open—for example, by forcing any American business that wants to operate in China to form a partnership with a Chinese business. They have been doing that for a long period of time, and we have been going along with it. Sadly, these partnerships are nothing more than a way for the Chinese Communist Party to access and steal proprietary ideas and technology.

They also do it in nefarious ways—through exploiting educational relationships on college campuses or stealing biomedical research during the peer-review process.

This is no small thing. One in five American companies has been a victim of Chinese intellectual property theft. That matters because nearly 80 percent of our economy is based on intangibles—the very things the Chinese are stealing.

It is safe to say that this is another area where the regime in Beijing has been emboldened by free trade at the expense of American innovation and economic growth.

China hasn't changed its position on exploiting commercial relationships either. For the past two decades, China has taken advantage of countries—weaponizing their debt and working to control ports, infrastructure, and other territory, posing a very real threat to U.S. interests. There is no place where this is more apparent than in Africa, where I keep hearing: "America will tell you what you need; China will build it for you." Of course, they don't follow through and talk about how they use all Chinese resources to do this. They use Chinese labor. But it is of no value to Africa.

I have been to Africa probably more than any other Member, as I have been very active in that area and have seen some of the threats that face us on that continent, and I have seen the Chinese debt trap hobble more promising governments.

But it goes far beyond the developing world and extends right into our own backyard. Just look at the recent issue with the NBA, where the general manager of the Houston Rockets tweeted a message in support of the Hong Kong protesters. The backlash was swift. China stopped airing Rockets games or streaming them online, and their online retailers pulled merchandise from online stores.

We have also seen U.S. hotels, aviation companies—even the Gap—being forced to edit and self-censor to remove any reference that even tangentially refers to Taiwan, Tibet, or Hong Kong not being a part of the People's Republic of China, all to appease the Communist Party. The jewelry company Tiffany was pressured to remove an advertisement of a woman covering her eye because images of a protester in

Hong Kong with a wounded eye got international attention.

We live in a democracy, and we don't dictate to private businesses what they should or should not do. This is not the case in China. Yet, if we continue down the road of self-censorship, the party's demands will escalate, and it will be harder and harder to exercise freedom of expression.

Fourth, lastly, brutal repression of dissidents—that was true 19 years ago, and it is true today. More than anything, I would like to say this was an area where free trade had forced the Chinese Communist Party to change its behavior. That is what we were all told would happen, but it didn't happen. We know it is not true.

We all know about the atrocities that are going on in Xinjiang Province, where the government is forcing a Muslim minority into concentration camps, although they call them reeducation centers. We all know what is going on in Hong Kong, where Beijing is repressing a democratic demonstration with brutal tactics. I remember being in Hong Kong at the time China reasserted what they call their leadership, their ownership, to Hong Kong. It has been on and off all these years. Right now, that effort—disagreement is still taking place.

Outside of the areas that, despite China's best efforts, have attracted international attention, we still know about the atrocities the Chinese Communist Party quietly inflicts on journalists and Christian minorities in house churches and in communities across China every day.

I have just painted a very bleak picture of U.S.-China relations and how unrestricted trade didn't force the ruling party in Beijing to change its behavior, but the good news is, help is finally on the way. After the trade deal was enacted—I am talking about President Trump's trade deal—I kept speaking out against the Chinese Communist Party, calling attention to their human rights abuses, their military buildup, their manipulative trade tactics, and their economic bullying. I pushed every President until now to stand up to the economic powerhouse before it was too late and they outmatched us. I tried that with Republicans and Democrats alike, and it didn't work.

Now we have the first President since 2000 to take China seriously. President Trump is clear-eyed about the regime in Beijing. He knows that our trade relations have been unfair and imbalanced, and he understands that we need real and permanent fixes in order to have any long-term stability. This is something that has been going on for a long period of time, and he is now changing this. He is getting criticized, obviously.

I have to say this: It hurts our farmers in the State of Oklahoma. However, I would say that they are very understanding that someone is finally willing to take on China.

LEGISLATIVE SESSION

MORNING BUSINESS

He has effectively applied tariffs, both to punish the Chinese Government for its manipulative trade practices and also to support critical industries in the United States.

The result: China's economy has slowed to its lowest point since 1992—and that is if you believe their official numbers. These are their numbers. It has slowed down their economy. That has not happened before.

The economic pressure brought them to the table, ready to make a real deal—one that is fair and accountable. So far, we have gotten phase 1—a preliminary first deal—and the outcome is good for farmers in Oklahoma and across the country. For the first time, China has agreed to purchase \$40 billion to \$50 billion worth of American agricultural goods. That would be the highest level since 2012. That is a good start.

The fight against China's economic manipulation and influence is not over. It can't just be limited to shrinking the trade deficit through greater purchases of American goods. Future parts of any agreement need to be sure to address the concerns that Presidents of both parties neglected for decades, including theft of intellectual property and industrial secrets, forced technology transfer, reciprocal access to markets, and subsidies to China's state-owned enterprises.

All of this needs to be placed into the proper context of the Communist Party's ambitions on the world stage: to rewrite the rules of the international system, to make the world safe for authorities to suppress democracy and abuse human rights, and to achieve global military superiority by midcentury.

President Trump's stand against China on trade has provoked a lot of discussion about our competition with China. We have to remember that this is not a competition against China but a competition for influence—the kind of influence that decides what kind of world our kids and grandkids are going to live in. Next week, my wife and I will be celebrating our 60th wedding anniversary. We have 20 kids and grandkids. They are the ones who will be living in that world I just described.

In this competition, we can't afford to be naive. The Chinese Communist Party has a very different version of the world it would like to create, so even as we keep talking about the tariffs, we have to remember that our values are still America's most precious commodity. It is our values—free people and truly free markets—that must guide us in the competition ahead.

Every part of this speech I gave on the Senate floor 19 years ago has become a reality, and President Trump knows this. Maybe we better listen to him.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Madam President, I am going to yield the floor.

Mr. INHOFE. Mr. President, I ask unanimous consent that the Senate proceed to legislative session and be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

SMALL REFINERY WAIVERS AND ETHANOL

Mr. DURBIN. Madam President, on behalf of the corn and soybean farmers in my State, I object to "small refinery relief language" in the fiscal year 2020 Interior appropriations bill that suggests that the Environmental Protection Agency, EPA, disregard Department of Energy determinations on small refinery hardships. The provision encourages EPA to continue allowing refiners to stop blending biofuels with no transparency or evidence of hardship.

Fourteen years ago in this Chamber, I helped enact the renewable fuels standard, RFS, which required petroleum-based vehicle fuels to include a minimum volume of ethanol and biodiesel in them. Both fuels are produced from corn and soybeans, driving economic activity throughout Illinois and the Midwest.

The law has been a tremendous success. We have created new markets for corn and soybeans and helped supply motorists with affordable fuel. We have provided a greener alternative to MTBE and other additives. And now the United States is the world's largest producer of ethanol, generating commerce and creating jobs, both on and off the farm.

In fact, I can hardly think of a national policy in this generation that has achieved greater success for rural economic growth than biofuels. In the wake of the gasoline shortages of the 1970s, the farm financial crisis of the 1980s, the clean air discussions of the 1990s, the oil price spikes of the 2000s, and rural economic conditions of today, biofuels became part of the solution. For more than 40 years, farmers and policymakers built an industry unique to the heartland of this country.

Yet in just 2 years, President Trump has wrestled American biofuels to its knees. He singlehandedly has delivered one crippling blow after another. Each action he has taken contributes to the gradual dismantling of this enterprise. With his involvement, or outright neglect, ethanol prices, profits, and blending are the lowest in history, and thousands of rural jobs have been lost.

The President claims his support for ethanol and biodiesel is strong. I say: believe it when you see it. Because when this President issues declarations of victory on biofuels, facilities stay shuttered and the markets stay stalled.

Congressional frustration on this topic is bipartisan and growing, although some farm State lawmakers and interests still stare at their shoes while a President who shares their political affiliation burns this industry to the ground. Long after the alarm bells were ringing and klaxons were sounding, those who should have known better at the outset, whose earlier responses were accolades, now find themselves at path's end, hoodwinked.

As a member of the Senate Agriculture Committee, I pressed the EPA to approve E15, a 15 percent blend of ethanol in gasoline, for year-round sales as soon as possible. And I applauded that final decision in June. For Illinois, E15 could boost 14 ethanol facilities and 20,000 downstate jobs. For motorists, E15 could save up to 10 cents per gallon.

But pull back the curtain, and the President has allowed EPA to issue 85 secret waivers that allow oil refineries to stop blending biofuels into gasoline. Economists have confirmed that shatters demand for E15. Waivers mean that E15 is a fake victory by President Trump.

After increasing pressure and outcry, on October 4, President Trump publicized an agreement ostensibly designed to restore the lost ethanol demand caused by his waivers back to the 15 billion gallon floor—even 16 billion gallons, claimed the President. Ten days later, the Trump administration stunned observers by publishing details that watered down these numbers and slashed the ethanol deal by half, while stakeholders were coached that nothing has changed.

The language in the Interior appropriations bill suggests that EPA continue to thumb its nose at corn and soybean producers while issuing small oil refinery waivers. Meanwhile, Big Oil is doing just fine. In May, the Department of Energy reported that net income for top U.S. oil companies like Exxon and Chevron has totaled \$28 billion, the most profitable in five years. For farmers, however, net income has plummeted 50 percent from its record highs during the Obama administration.

For years, farmers and policymakers of multiple backgrounds and persuasions have come together, in good faith, to carefully build a new industry that benefits consumers, farmers, and rural residents. This pioneering innovation is rooted in the heritage of rural values, all in jeopardy of crumbling because the void between this President's words and acts.

I urge my colleagues to work to support rural America by ending EPA's efforts to issue these waivers without any concern for transparency or economic impact.

Ms. STABENOW. Mr. President, I support the sentiments of my colleague from Illinois in objecting to the "small refinery relief" language in the fiscal year 2020 Interior appropriations bill. In the past, this language has been invoked by the Trump administration's