



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 117<sup>th</sup> CONGRESS, SECOND SESSION

Vol. 168

WASHINGTON, THURSDAY, DECEMBER 15, 2022

No. 195

## Senate

### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

The PRESIDENT pro tempore. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report:

The senior assistant legislative clerk read the nomination of Musetta Tia Johnson, of Virginia, to be a Judge of the United States Court of Appeals for the Armed Forces for a term of fifteen years to expire on the date prescribed by law.

The PRESIDING OFFICER (Mr. KING). The Senator from Vermont.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### RECOGNITION OF THE MAJORITY LEADER

The majority leader is recognized.

#### CHINA

Mr. SCHUMER. Mr. President, this morning, the Biden administration announced they are taking action to counter the Chinese Communist Party's threat to our national security. Just a few moments ago, the Department of Commerce said they would formally add Wuhan-based YMTC and 35 other Chinese companies to the so-called Entity List, blocking them from purchasing critical technology from American businesses.

I am glad this decision has finally arrived because I have long sounded the alarm on the economic and national security threats posed by YMTC and other CCP-backed technology companies, like CXMT and SMIC. YMTC poses an immediate threat to our national security so the Biden adminis-

tration needed to act swiftly to prevent YMTC from gaining even an inch of military or economic advantage. I am glad that they are heeding our calls as well as calls from other Members on both sides of the aisle.

Of course, YMTC is a well-known chip supplier for Huawei, one of the biggest companies that pose a risk to U.S. security interests. Any supplier of Huawei is no friend of the United States because the risks are too great and the entanglements of these companies with CCP and Chinese military are too treacherous. This is a necessary and prudent step by the administration.

The administration's announcement also comes on the heels of my amendment with Senator CORNYN to the National Defense Act that would remove YMTC as well as SMIC and CXMT from our Federal supply chains entirely. It is a one-two punch: The administration blacklists these companies from doing business, and here in Congress we will shut them out even further from U.S. supply chains. Of course, this is about more than just a single group of businesses stretching their tentacles into our country. It is about holding firm against a CCP that has become more emboldened and oppressive over the recent years.

The 21st century will be largely shaped by our two giant economies. For decades, the Chinese Communist Party has cheated their way to the top by piggybacking off American technologies and American IP, with huge implications for our security and for our edge in AI, cyber security, telecom, and other major technologies. Whoever masters the technologies of tomorrow will be able to reshape the world in their image this century. And if the CCP gets there first, it will spell dark times for democracy, for freedom, and for American prosperity and American jobs.

Today's decision by the administration will provide one more firewall we

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. LEAHY).

#### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal and ever blessed God, whose Name is love, put Your love in our hearts. Lord, teach us to love so that our primary aim in life will be to please You. Teach us to love so that our passion for You will provide the foundation of our obedience. Teach us to love so that worship will not be a duty but a delight. Teach us to love so that our greatest fear will be to disappoint You. Teach our lawmakers to love so that they will always be quick to help and to forgive. Lord, teach all of us to love so that justice will roll down like waters and righteousness like a mighty stream.

We pray in Your loving Name. Amen.

#### PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

#### RESERVATION OF LEADER TIME

The PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDENT pro tempore. Morning business is closed.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



Printed on recycled paper.

S7207

all need to keep the CCP's authoritarian designs in check. I applaud the administration for taking this important step.

BUSINESS BEFORE THE SENATE

Mr. President, on the CR, the omni, and NDAA, last night, the House of Representatives passed a 1-week continuing resolution that will keep the government open long enough for us to pass a bipartisan yearlong omnibus. Negotiations keep trending in the right direction, but we still have a lot of work left to do and not enough time to do it unless we extend government funding for another week.

Let me put it a different way. As of this morning, the Senate will now require consent from both parties if we want to pass a CR before funding runs out tomorrow at midnight. We should move quickly to avert a shutdown today, without any unwelcome brouhaha that has caused shutdowns in years past.

Democrats are ready together at a moment's notice, and I hope Republicans will stand ready too. Both sides are going to spend a day to work on an agreement to get the week-long CR done. We should have no drama, no gridlock, and no delay on passing a weeklong CR.

Just remember, those who demand something happen and risk shutting down the government almost always lose. Let me say that again: No drama, no gridlock, no delay. That is the recipe right now for avoiding a shutdown within the next 48 hours. I am very hopeful we will get that done with time to spare. For the last 2 years, the 117th Congress hasn't had a single government shutdown, not one, not even for a day. I hope we don't start now just as we approach the finish line. Recent history shows that those who risk shutdowns with hopes of scoring political points ultimately lose in the end.

Once we pass the CR, we can make progress toward an omnibus. I have said it time and time again, a yearlong omnibus is the best and most balanced option to fund our government. An omnibus is the best approach because it will ensure that our kids, our veterans, our small businesses, and our military continue to have full access to vital services and programs they depend on. An omnibus is the most balanced approach because it would contain priorities both sides want to see: funding for Ukraine; the ECA, Electoral Count Act; and full implementation of CHIPS and Science; the PACT Act; and more. We worked so hard together on these bills. Let's now work together again to implement them fully.

As we continue negotiating to pass a 1-week CR and an omni, both sides will keep working on an agreement to pass the NDAA, hopefully, today. We are trying to do it as soon as today. The NDAA has been a consistently bipartisan effort for every year for more than six decades. I do not expect this year to be any different, and I thank Chairman REED and all my colleagues for their good work on this bill.

I yield the floor.

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

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

RECOGNITION OF THE MINORITY LEADER

The Republican Leader is recognized.

NATIONAL DEFENSE AUTHORIZATION ACT

Mr. MCCONNELL. All year, Senate Republicans have urged Democrats to prioritize two basic governing duties, two tasks that are essential to keeping America safe, keeping us on track to remain the world's superpower, and doing right by our men and women in uniform.

No. 1 is the annual Defense bill, where we authorize the investments, tools, and training that our commanders, leaders, and servicemembers need.

No. 2 is passing government funding, where we back up the NDAA's ambitions with the actual dollars and cents that turn plans into reality.

Bipartisan negotiators are still working on the second item. I hope they are able to produce text of a bipartisan government funding bill that can pass the Senate before our hard deadline next Thursday. Otherwise, I will support pivoting next week to a short-term continuing resolution into the new year.

But I am glad that, in the very near future, the Senate will finally fulfill the first key duty and pass a strong NDAA named for our retiring ranking member, Senator INHOFE.

I have spent all week discussing ways this legislation will help our Armed Forces and national security professionals, safeguard our homeland, bolster our partnerships, and keep adversaries like Russia on their back feet. Today, I want to focus on what most Senators agree is the single greatest medium-term and long-term national security challenge that our Nation faces, and that is the Chinese Communist Party.

The legislation we will pass today includes provisions to extend our security assistance to Taiwan. It steps up our investments and capabilities that are essentially crucial to operations in the Indo-Pacific, from space assets to naval mines.

It reprioritizes countering China's nuclear breakout by curbing the Biden administration's naive efforts to retire critical elements of our nuclear arsenal.

It tightens security on our cutting-edge research and bolsters sea-launch strategic deterrent capabilities.

And that is not all.

This strong bipartisan bill puts new weight behind our long-term commitments to stand with both vulnerable countries in China's orbit and vulnerable people actually within its own borders.

It will authorize a new Joint Force Headquarters right there in the region and make sure that U.S. military installations are not commercial destinations for goods that have been produced with Uighur slave labor in the Xinjiang Province.

This bill will also help stiffen the spine of the liberal entertainment industry that apparently lacks the courage to cross Beijing without clearer incentives. This year's NDAA will prohibit the use of U.S. military assets, like ships or bases, in movies where the producers then turn around and allow Chinese censors to have final signoff. If Hollywood wants to trample on American principles of free expression in order to please the Communist Party, they won't get to use our Armed Forces as props in the process.

Of course, stepping up our competition with China and limiting the risks to America from the CCP does not mean walking away from the world stage more broadly—quite the contrary. Checking the CCP will take a coordinated effort with even stronger, deeper ties between the United States and our like-minded friends and partners.

That means everything from basing access to joint exercises and operations, to strengthening our own defense industrial base so that we can continue to score win-wins, in both security and economic terms, by selling our partners the defensive capabilities they need.

Protecting America and winning the future does not entail pulling up our drawbridge, turning inward, and pretending the world will leave us alone.

China is actively—actively—trying to undercut American interests and partnerships everywhere from Asia itself to the Middle East, to Africa and beyond.

This NDAA will strengthen our hand. It prioritizes crucial partnerships in the Indo-Pacific. It adds New Zealand to the National Technological Industrial Base. It expands our ability to share cyber capabilities with operational partners, and it preserves vital security cooperation efforts in the Middle East and invests in expanding partnerships in Africa, South America, and beyond.

The NDAA is only a first step toward the investments, modernization, and stronger strategies that we need to compete and to win against rivals who don't wish us well. But it is a crucial first step.

Therefore, I encourage every Senator on both sides to support this important legislation.

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

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