

manufacture and traffic drugs with 11 other individuals—charges that Mark has denied and which have been debunked over and over again.

Chinese officials tried to coerce Mark into confessing. Mark refused and pleaded not guilty in a trial in November 2013. During the trial, the prosecution didn't produce any forensic evidence to back up their allegations, and no drugs—zero—were ever found on Mark or in his hotel room. Mark's passport and other records show that he wasn't even in China at the time of the alleged offenses, and the 11 other individuals indicted in relation to this alleged drug conspiracy—none of them could identify Mark. The charges against Mark were completely bogus and false.

Meanwhile, Mark's mom Katherine is aching to see her son again. Her heart is breaking. This is a mom who wants to hold and hug and care for the son she loves.

I have been working with the Biden administration, and I have been pushing Chinese officials at a senior level to release Mark, but more needs to be done, and it needs to be done much more quickly.

Now, Secretary of State Blinken was planning to travel to China in February, and we had been pressing the State Department to make Mark's case a major priority for the Biden administration on the trip. Then what happened? A Chinese spy balloon came over the United States, and Secretary Blinken canceled his trip.

It is time to apply more pressure on the Chinese Communist Party to let Mark go and let him come home to Texas.

Madam President, the Chinese Communist Government is a tyrannical government. They don't like it when you turn up the heat. They don't like it when you shine a light on their atrocities. There is power in shining a light, and there is power in unity.

We need to bring Mark home. In a moment, I am going to propound a live UC request on a resolution I have introduced with my colleague from Texas, Senator JOHN CORNYN. When it passes, the Senate will, with one unanimous bipartisan voice, reiterate these declarations.

The resolution calls on the CCP to immediately release Mark. It condemns China from withholding from Mark access to his family, to diplomats, and to proper and independent medical care. And it calls on the Biden administration to prioritize efforts to secure Mark's release, both in their conversations with Chinese diplomats and in international forums.

No opportunity should be lost in urging Chinese officials, at every level of engagement, to release Mark. The Biden administration must use the voice and the vote of American diplomats to highlight his case.

This resolution has already passed the House. It will now pass the Senate. The United States Congress is with a

united and unanimous voice condemning and calling to end the unjust imprisonment of Mark Swidan by the Chinese Communist Party. Enough is enough.

Madam President, as in legislative session, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 53, S. Res. 23.

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

The legislative clerk read as follows:

A resolution (S. Res. 23) demanding that the Government of the People's Republic of China and the Communist Party of China immediately release Mark Swidan.

There being no objection, the Senate proceeded to consider the resolution.

Mr. CRUZ. Madam President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table.

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

The resolution (S. Res. 23) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of February 1, 2023, under "Submitted Resolutions.")

Mr. CRUZ. I yield the floor.

EXECUTIVE CALENDAR—Continued

VOTE ON GUPTA NOMINATION

The PRESIDING OFFICER. The Senator from Kansas.

Mr. MORAN. Madam President, I ask unanimous consent that the scheduled vote occur immediately.

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

The question is, Will the Senate advise and consent to the Rao Gupta nomination?

Mr. MORAN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN) is necessarily absent.

Mr. THUNE. The following Senator is necessarily absent: the Senator from North Dakota (Mr. CRAMER).

The result was announced—yeas 51, nays 47, as follows:

[Rollcall Vote No. 121 Ex.]

YEAS—51

Baldwin	Durbin	Menendez
Bennet	Fetterman	Merkley
Blumenthal	Gillibrand	Murkowski
Booker	Hassan	Murphy
Brown	Heinrich	Murray
Cantwell	Hickenlooper	Ossoff
Cardin	Hirono	Padilla
Casey	Kaine	Peters
Carper	Kelly	Reed
Collins	King	Rosen
Coons	Klobuchar	Sanders
Cortez Masto	Lujan	Schatz
Duckworth	Markey	Schumer

Shaheen	Tester	Warren
Sinema	Van Hollen	Welch
Smith	Warner	Whitehouse
Stabenow	Warnock	Wyden

NAYS—47

Barrasso	Grassley	Ricketts
Blackburn	Hagerty	Risch
Boozman	Hawley	Romney
Braun	Hoeben	Rounds
Britt	Hyde-Smith	Rubio
Budd	Johnson	Schmitt
Capito	Kennedy	Scott (FL)
Cassidy	Lankford	Scott (SC)
Cornyn	Lee	Sullivan
Cotton	Lummis	Thune
Crapo	Manchin	Tillis
Cruz	Marshall	Tuberville
Daines	McConnell	Vance
Ernst	Moran	Wicker
Fischer	Mullin	Young
Graham	Paul	

NOT VOTING—2

Cramer

Feinstein

The nomination was confirmed.

The PRESIDING OFFICER (Mr. OSSOFF). Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

The Senator from Maryland.

DEBT CEILING

Mr. VAN HOLLEN. Mr. President, I think everybody in this body now knows that, yesterday, President Biden convened a meeting at the White House to discuss how the United States would avoid a default—a default on the country, a default on our debt, a default which would be something that has never happened before in the history of the country.

The 14th Amendment, section 4 says:

The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services . . . shall not be questioned.

"Shall not be questioned."

Throughout our history, in good times and bad times, we have always met our obligations as a country, and that is why President Biden wanted to bring together the congressional leaders to discuss making sure that we don't do that for the first time.

He was joined, of course, by Speaker MCCARTHY. He was joined by the minority leader from the House, Congressman JEFFRIES. From the Senate, he was joined by Majority Leader SCHUMER and Republican Leader MCCONNELL.

I was asked earlier today whether I felt better in the aftermath of this meeting having taken place. And I said: I am glad that the leaders planned to meet again on Friday, but, no, I don't feel more comfortable or confident today than I did before the meeting, and the reason is this: because Speaker MCCARTHY continues to threaten to default on America's debts unless he and the MAGA Republicans in the House can impose big parts of their agenda on the country, impose their agenda on the American people.

I just want to unpack for a moment what exactly that means. What exactly is Speaker MCCARTHY saying to the country? And he is saying this: that if

the Senate doesn't go along with the very extreme proposals passed by the House Republicans and if the President doesn't agree to sign on to those extreme proposals, he will allow the United States, for the first time in our history, to default on our obligations.

And what does that mean? It means he is threatening economic catastrophe, because there is no dispute among Republicans—I don't care if you are a Democratic economist or a Republican economist—economists across the board will tell you that a default would be catastrophic for our economy—massive job losses. We saw an estimate the other day of 8 million jobs lost in the country—retirement nest eggs that people have been working a lifetime to build up imploding, interest rates rising, the credibility of America around the world shattered, the dollar as the world's reserve currency being called into question.

I can tell you who will be celebrating if this happens, and that is the folks in Beijing, the PRC. They will be very happy if the United States undermines its credibility on the world stage, and they will be very happy if we lose our position of having the dollar being the world's reserve currency.

So what was President Biden's response? So what the President is saying—and I want to be clear about what he is saying. He is saying: Hold on, Mr. Speaker. Hold on, Speaker MCCARTHY. Paying our bills on time is not just a Democratic obligation. It is not a Republican obligation. It is not an Independent's obligation. It is an obligation of Uncle Sam. These are obligations the United States has built up during Democratic Presidencies and Republican Presidencies.

In fact, if you look at the record during the 4 years of the Trump administration, we accumulated one-quarter of the total debt owed by the United States today. Yet, during those 4 years, the House and the Senate, without drama, said: Yes, the United States is committed to paying its debts, and we will do so, and we will address the debt ceiling in that manner.

Just to emphasize once again, what we are talking about is obligations the United States has already incurred, that we have already said as a country: We will do this. We will pay your Social Security. We will pay your Medicare. We will pay our veterans. We will pay our obligations as a country, including those who have purchased U.S. Treasury bonds.

That is what we said when we passed those things, and it is important that we keep our word.

So what President Biden says is, look, these are Uncle Sam's obligations. Mr. Speaker, you don't get to come in here and threaten the health of the American economy if you and House Republicans don't get to enact your policies, don't get to enact your agenda. So take your finger, Mr. Speaker, off the default detonator, and then we should talk about issues of

common concern. We can talk about the budget. We can talk about the deficit and debt. We can talk about spending. We can talk about revenue.

In fact, President Biden has submitted to the House and Senate his budget proposal. I serve on the Senate Budget Committee. We as a Senate have received that. President Biden has proposed a budget that achieves \$3 trillion in deficit reduction over the next 10 years. The proposal passed by Speaker MCCARTHY and Republicans in the House achieves about \$4.5 trillion in deficit reduction over 10 years.

So what the President is saying to Speaker MCCARTHY and House Republicans is: We are happy to sit down as part of the normal budget process. We are happy to talk as part of the normal appropriations process about how we can address the deficit and the debt. I put forward my proposal. You put forward a proposal. Let's sit down.

But President Biden is not saying this to Speaker MCCARTHY: You have to reduce the deficit by \$3 trillion the way I, President Biden, have done it, and if you don't agree to my proposal for reducing the deficit by \$3 trillion, then I am not going to sign a bill to raise the debt ceiling.

If President Biden said that, people would say he is crazy, and it would be very irrational. But that is exactly what Speaker MCCARTHY and House Republicans are doing. They are saying: Mr. President, if you don't reduce the deficit our way, we are going to blow up the American economy.

So let's step back from the brink here. Speaker MCCARTHY, take your finger off the default detonator, and let's have a discussion about how to reduce the deficit and debt, because when you do that, you understand that many of our Republican colleagues really don't care that much about the deficit and debt. Why do I say that? Because if you say "Let's reduce the deficit and debt by increasing revenue by asking some of the wealthiest people in the country—billionaires, people who make hundreds of millions of dollars every year—if you say "Let's reduce the deficit by asking them to pay more in terms of taxes," you won't get any support from our Republican colleagues, the same folks who say it is absolutely urgent that we reduce our deficit and debt.

But we know there are two sides of the equation. There is spending, and there is revenue. In fact, if you go back to the last time the United States balanced our budget, which was around the year 2000, you will find that revenues as a share of our GDP, revenues as a share of our economy, were about 20 percent. Today, if you look forward to the next couple of years, the projections are that total revenues will be about 18 percent of our economy. The difference between 18 percent revenues as a share of our economy and 20 percent may not sound like a big number, but 2 percent of a very big American economy is a lot of revenue.

So what President Biden is saying is: You know, the last time we actually balanced our budget, revenue as a share of GDP was 20 percent, so at least let's look at that as a contribution. Let's look at raising the top rate on corporations to a level that would still be lower than it was just 10 years ago but higher than it is today.

All this talk about the IRS agents—you know, Republicans say: Let's get rid of the additional funds to support IRS agents.

These are IRS agents who are going to go after very rich tax deadbeats. In fact, the Congressional Budget Office projects that if you invest in that effort to go after very rich tax deadbeats, you actually raise revenue. So the action the House took in this regard actually increased the deficit and is just protecting folks who make a boatload of money from paying the taxes that are already due and owed.

What President Biden has said is: OK, sit back. Let's talk through the normal budget appropriations process, but don't threaten to blow up the American economy.

President Biden's budget also has cuts in it. In fact, what the President has proposed is that the Medicare Program pay Big Pharma—pay the pharmaceutical industry a little less for the drugs that the Medicare Program purchases. After all, all of us in this room and every American citizen contribute billions and billions of dollars every year to really important work done at the National Institutes of Health, which is headquartered in my State of Maryland. It is an American treasure. It is an amazing place, and it is a great engine of invention. We spend billions and billions of dollars in taxpayer money every year for them to do research that has uncovered really important cures and really important treatments and helped the pharmaceutical industry develop a lot of the drugs. Yet, Big Pharma uses the research developed with taxpayer dollars and then often turns around and sells those drugs at prices that American taxpayers can't afford. So what President Biden has proposed is that they take a little less. We give the Medicare Program even more negotiating authority so we can reduce those costs to Medicare and to the taxpayer. So he has proposed those kinds of cuts.

I know a lot of our Republican colleagues don't like those ideas, but that is why you come to the table. That is why Speaker MCCARTHY should accept President Biden's invitation to come to the table to discuss, in the normal course—in the budget and the appropriations process—how we can address issues of the deficit. What are our priorities? What should we do on the revenue side? What should we do on the spending side? But don't, Mr. Speaker, continue to threaten to blow up the American economy if you don't get your way.

I am just going to end with a story from 2011 because that is the last time

we really faced this kind of crisis. I am especially worried this time. It was very bad in 2011. We came very close to going over the waterfall. The markets got very jittery. Interest rates did begin to creep up. It cost the U.S. Government more to meet our obligations. I am more worried this time because we apparently have a lot more folks in the House of Representatives who don't seem to fully appreciate and understand the disastrous consequences of default for American families, for our economy.

So I remember back in 2011. It was right after the 2010 elections. Republicans had won a big majority in the House of Representatives. President Obama was in the White House. And they were threatening early on to hold the issue of default and threatened to use it for budget purposes. It is true and we have heard it said that Vice President Biden at the time came down to the Hill, and they formed what was called the Biden group. They met in an office right around the corner here on this floor of the U.S. Senate. I was one of the House Members who participated in that. There was a total of about 10 from the House and Senate, Republicans and Democrats. We had at least 10 meetings.

Vice President Biden would begin each meeting this way—he would say: I know today we are going to talk about the cuts that are being proposed by House Republicans, and we will do that. But I want you to know two things. One is, nothing is agreed to until everything is agreed to, and after we go through these proposed cuts, we are going to go through proposed revenue increases. We are going to close tax loopholes for very wealthy people. We are going to attack the deficit from both sides of the equation. We will do some cuts, but you also have to be prepared to talk about revenue.

Everybody at the table nodded their head—Senate Republicans, House Republicans, Democrats.

Well, after 10 meetings of discussing cuts, a lot of us were getting concerned that we hadn't really begun to dig into revenues.

Vice President Biden said: You know, I said at the beginning of every meeting that we have to get to revenues. We are going to do that.

At that moment, the talks broke down. Eric Cantor, who was the majority leader in the House at the time; Speaker Boehner was Speaker; KEVIN MCCARTHY walked out of the talks, largely because he was afraid he was going to be fingered by his House Republican colleagues for having agreed to talk about revenues. Imagine that. You care about the deficit, but you won't talk about any ways to raise even a penny of revenue from very wealthy people. That sort of exposed the whole charade at the time.

Now Joe Biden is President of the United States. I am sure he is thinking about those days when he served as the head of that budget group, and I am

sure he is thinking back to the fact that our Republican colleagues came to the table and said they cared about deficit reduction and all nodded their heads and said “Yes, after we talk about cuts, we are going to talk about revenues” and then walked out of the room when that moment came.

That just shows that what we are dealing with here is not a commitment to deal with the deficit and debt. What we are talking about is a power play to threaten the health of the American economy in order to impose the MAGA House agenda.

President Biden is absolutely right to say: I am more than willing to talk about the budget and deficits and fiscal policy, but first, Mr. Speaker, take your finger off the default detonator.

That is what Mr. MCCARTHY needs to do, and then we can deal with this in a way that the country deserves.

I yield the floor.

The PRESIDING OFFICER (Ms. HASSAN). The Senator from Colorado.

UNANIMOUS CONSENT REQUEST—EXECUTIVE CALENDAR

Mr. BENNET. Madam President, I ask unanimous consent that the Senate proceed to the consideration of the following nominations en bloc: Calendar Nos. 46 through No. 52, No. 82 through No. 107, No. 110 through No. 113, No. 130 through No. 139; that the nominations be confirmed en bloc, the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to any of the nominations; that the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Is there objection?

Mr. TUBERVILLE. Madam President, reserving the right.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. TUBERVILLE. Madam President, I want to thank my friends from the House for their support today. But the question today is, What kind of Nation do we want to be? This debate speaks to the moral fabric of our society.

We boast the most powerful military in the history of the world. The purpose of that military is for the strongest among us to protect the weak.

In America, those with the broadest shoulders guard those with the narrowest. Yet the Biden administration wants to mobilize our military against the weakest and the most defenseless—the unborn. I believe that is wrong. It is immoral.

My colleague has described an abortion as just another medical procedure. He mentioned Lasik. He also talked about bunions.

The children of our Nation are not just another routine medical procedure. That is why I am standing here to object.

For 40 years, we have had a bipartisan agreement—40 years. Americans may have different views about abor-

tion, but the majority of this country believes that taxpayers should not have to fund abortions. Secretary Austin blew up 40 years of tradition, an agreement, by just one memo—one memo. There was no debate in the Senate. There was no vote in the House. And here is why. They didn't have the votes. This administration couldn't change abortion laws here in the Senate or the House, so they wrote a memo.

Our Cabinet Secretaries aren't supposed to be politicians. They are there to uphold and enforce the laws made in this building. Yet Secretary Austin is the most political Secretary of Defense we have ever seen.

I am glad to hear Senator WARREN got her prompt reply from Secretary Austin this week. As I recall, she made her request on April 6. She got a response a month later. That is certainly not the kind of treatment I have received from the Pentagon. Maybe it has got something to do with my political party.

Nearly a year ago I joined 12 other Republicans in a letter to Secretary Austin, this past July. We asked the Secretary to substantiate the comment he made about abortions being necessary for military readiness. We are still waiting for a reply.

In November, we sent the Department another letter. This time it was just asking for a short and small briefing—just a briefing. That is all we were asking for. We heard they were going to move forward with an abortion policy that was illegal. Secretary Austin did not reply.

In December, I informed Secretary Austin in writing that I would hold his highest nominees if he went forward with this unlawful abortion policy. Well, in February, Secretary Austin implemented that policy, so I kept my word. The very next day, we put a hold on his nominees.

You know, I didn't get a phone call from Secretary Austin until 1 month after I put the hold into effect—1 month. During the call, he offered me absolutely no compromise. He didn't offer to meet or discuss. Unlike Senator WARREN, since then, I have heard nothing from Secretary Austin except what he has said about me—the things that are pretty negative—in Armed Services Committee hearings.

Ten months into this dispute, the Pentagon and I are still waiting for one single fact to support this argument—one single fact.

I read Secretary Austin's letter to Senator WARREN. It is long on opinions, short on facts. I also read the boilerplate letter signed by the former Secretaries of Defense that were put out this week. It reads like a Democrat press release. The letter simply repeats the same unsubstantiated claims made by Senator WARREN, Senator BENNET, and Senator SCHUMER. Frankly, I think these letters vindicate my opinion. These letters were part of a coordinated effort by the Democrats to use