

Ukraine or that undermines democracy and the rule of law.

The Secretary added that other malign actors are watching closely to assess America's reaction and resolve. That is why one comprehensive supplemental that can address all of these interconnected global needs is the only way forward.

When asked about the United States' role in the world, President Biden explained that we have not only the financial responsibility but the moral responsibility to support democracies worldwide.

I agree. Right now, the global community faces profound challenges, the outcomes of which will reverberate to every corner of the world for decades to come. As a global superpower, America has an essential role to play in defending freedom. It is not only the right thing to do; it is the smart thing to do.

Last week, the House provided a Republican-led plan to provide billions of dollars only to Israel, tragically ignoring this call for leadership.

Madam President, I just challenge everyone to take a look at how Republicans put together this package—even this package of aid to Israel. The House bill would cynically cut funding from the Internal Revenue Service that is being used to help auditors catch wealthy tax cheaters in America. The House Speaker wants to cut that.

The Presiding Officer and I represent thousands of Illinoisans, good families who know their tax obligations. They are not happy about them, but they face them and deal with them honestly. Only a handful of people are misusing their power and money to avoid tax responsibility. We need to stop that. They need to pay their fair share of taxes, particularly the wealthy among us.

So how does the House Republican leadership pay for aid to Israel? It eliminates auditors from the Internal Revenue Service who are trying to catch these tax cheaters.

What are they thinking?

Incidentally, that means that the auditors are not recovering the money for our Treasury that is owed to it, and they add to the deficit. This bunch of fiscal hawks, given the chance for a first real act of the new Speaker, decide to find a way to avoid holding tax cheaters responsible and adding to the national deficit. They need some work over there. That bill is a nonstarter that Putin must be enjoying.

Protecting our national security interests and defending American values will take a bipartisan effort, not political games. As such, I urge my colleagues to swiftly pass this funding package and help reassure the global community, as long as there is a United States of America, we will be standing for freedom across the world.

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### RECOGNIZING THE DEAN WELSH VFW AUXILIARY POST 4370

Mr. GRASSLEY. Madam President, this week is the week that we honor veterans, on what we call Veterans Day, so in honor of Veterans Day, I would like to spotlight one Iowa community's exemplary support of our veterans and Active-Duty military.

This is a town of 2,000—Britt, IA—in North Central Iowa. This year, Britt's Dean Welsh VFW Auxiliary Post 4370 received the Veterans and Family Support Award. This annual award from the national VFW recognizes select local auxiliaries for their exceptional work for our servicemembers.

This community's now-far-reaching efforts started with a phone call. A volunteer with the Britt VFW auxiliary was talking to her granddaughter, who was serving on the USS *Oscar Austin*. She mentioned that some of her fellow crew members hadn't received care packages. Within 1 week, Britt residents shipped 39 packages to that crew of the USS *Oscar Austin*.

That was 11 years ago. Now, a decade later, the Britt VFW is sending care packages to crew members on the USS *Fitzgerald*, USS *John McCain*, USS *Chafee*, and Iowa National Guard units deployed to Kuwait and to Poland. They are also preparing to send packages to the USS *Carl Vinson*. Volunteers fill these packages with various items, including beaded American flag key chains that they make by hand. Britt VFW members gift thousands of their key chains to veterans they cross paths with throughout the year, whether at community events or even in their daily lives.

Britt VFW's example should be a reminder to all of us of the importance of honoring our veterans and servicemembers, and we will be doing that this weekend.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### ISRAEL

Mr. CORNYN. Madam President, today, the United States is facing perhaps the greatest range of security threats both here at home and abroad that we have seen in a long time. Here at home, of course, our southern border has become a major security liability that is being exploited by terrorists, drug traffickers, and, of course, human smugglers. In the Middle East, our close ally Israel is defending its right to exist following a brutal and

unprovoked attack by the terrorist group Hamas. In Europe, Ukraine continues to defend itself in the wake of Russia's unprovoked invasion, which was nearly 2 years ago. In the Indo-Pacific, China's aggressive, belligerent behavior has threatened the stability of the entire region and the future of Taiwan. So there is a lot at stake, and the eyes of the world are firmly on the United States of America.

You know, I know sometimes people say: Well, we don't want the United States to be the world's policeman. And certainly that is true. But the fact is that there is no other nation that can actually lead the democracies in the world to a greater path of security and safety. We know that when the United States does not lead, then that is perceived as a sign of weakness and a lack of resolution, and that, I think, has contributed to where we find ourselves today with this tremendous array of diverse threats.

So there is a lot at stake, and the eyes of the world are on the United States. Terrorists and dictators, from Kim Jong Un to President Xi in China, to Vladimir Putin, to the Supreme Leader in Iran—all of them are watching to see how the United States responds when our friends and our allies become victims of authoritarian aggression. Will we brush these conflicts aside as meaningless, regional quarrels or will we lock arms with our friends and allies and commit to defeating evil in all its forms?

I am glad that the overwhelming consensus in Congress is that the only possible option is to respond with strength. Last week, the House of Representatives passed a bill to strengthen America's support for Israel while cutting wasteful government spending. That legislation provided \$14.3 billion in aid to Israel.

I am disappointed that President Biden, first thing out of the chute, threatened to veto the bill. Senator SCHUMER went so far as to call it a joke. So \$14.3 billion for Israel while it is under perhaps an existential threat by Iran and its proxies, and the majority leader of the U.S. Senate calls that \$14.3 billion a joke? I don't think there is anything funny about the strong desire that most of us have to support our ally while protecting the long-term financial health of our country.

The Nation's debt has skyrocketed over the last few years and now exceeds \$33.6 trillion. The interest on that debt alone will cost American taxpayers more than \$677 billion this year alone. Increasingly, we are seeing the amount of money we have to pay to the bondholders that own our debt creep up to approach the amount of spending we provide for the Department of Defense. And we know this is going to get worse and worse until it gets better. Congress simply cannot continue to spend and spend with no regard for the consequences.

Years ago, Admiral Mullen, who was Chairman of the Joint Chiefs of Staff,

said something that at the time I found a little odd. He said our greatest national security threat is our national debt. But, as we have come to see, those are wise words, because as the interest we have to pay to those who own our debt continues to grow with the size of that debt, that means less and less money is available for priorities here at home and for priorities to help prevent wars and aggression around the world.

Nowhere is this more apparent now than with the \$677 billion we are paying not for some program that we could agree is important here at home or to provide border security or to help arm Ukrainians in their fight for survival against the Russian invasion; that money is gone to the bondholders, the people who own that debt. We just cannot continue down that path without further endangering, as Admiral Mullen wisely said years ago. This has created a national security threat we cannot ignore as well. We have an obligation to make tough decisions to right the ship, and this is as good an opportunity as any to start making progress.

Despite the majority leader's current refusal to allow a vote on the House bill—that is his current position, one I hope will change—the fact remains, we do need to take action. The Senate must find a path forward to strengthen our support for Israel and Ukraine while making meaningful steps to address the out-of-control crisis at our southern border. Senate Republicans are discussing ways to do this in a thorough and thoughtful manner, and I expect that to remain a focus of our work for the next couple of weeks.

This is an important and long-overdue debate, but it cannot distract from our other fundamental responsibilities to support our Nation's security. We have other longstanding tasks that need to be completed, starting with the National Defense Authorization Act. That bill passed the Senate in July with overwhelming bipartisan support by a vote of 86 to 11.

This year's Defense bill helps replenish our defense stockpiles—something that has been exposed, the inadequacy of our defense industrial base, and our ability to replenish those stockpiles is very much in question and needs to be addressed. This year's National Defense Authorization Act does that. It also supports modernization efforts across the board, from the nuclear triad to next-generation weapons. It will help us regain a credible military deterrent by investing in modernized aircraft, weapons, and facilities. These were the important goals when the National Defense Authorization bill passed the Senate 3 months ago, and they are even more critical now.

Despite the fact that the Senate and the House each passed a version of the NDAA, as it is called, we have yet to formally begin the conference process where those differences can be worked out and where that bill can be signed

into law. This legislation should have reached the President's desk earlier, but we are now a month past the due date and watching a new war unfold in the Middle East. So it is absolutely critical that we get the NDAA conference process moving as soon as possible.

As the Senate and the House prepare to iron out the differences between the two bills, there are two items in particular that I have been fighting to include. One is called outbound investment transparency, which was included in the Senate bill but not the House bill.

Senator CASEY from Pennsylvania and I offered our bipartisan bill as an amendment to the Defense authorization bill here in the Senate, and it was adopted by a vote of 91 to 6. The reason this measure receives such strong bipartisan support is because it provides much needed visibility into a looming national security threat.

We know that American investors have been sending capital intellectual property and some of our cutting-edge innovation to China by investing in that country, but unfortunately, as we have learned, the Chinese Communist Party, which controls that country, basically is using that investment from American investors to fuel its economic and military rise.

At the end of 2020, U.S. investments in Chinese companies totaled \$2.3 trillion in market value. That includes \$21 billion in semiconductors, \$54 billion in military companies, and a whopping \$221 billion in artificial intelligence. Those are enterprises that are being funded by U.S. investment in China, which is now turning out to be our near-peer competitor and a threat to stability not only in Asia but worldwide. Intentionally or not, American companies are investing in products and capabilities that one day could be turned against us.

A recent investigation by Newsweek uncovered another grave cause for concern. Private U.S. entities aren't the only ones fueling China's rise; taxpayer-funded research is being exploited by the Chinese Communist Party. The scientist who is now at the forefront of China's artificial intelligence development received at least \$30 million in Federal grants—U.S. Federal Government grants—through the Pentagon and the National Science Foundation. He received this amount of funding from American taxpayers as he built up a parallel research system in China.

The United States, simply stated, cannot continue to bankroll China's economic and military rise, and that is why this outbound investment transparency provision that Senator CASEY and I have authored and which is included in the Senate version of the NDAA is so important.

This legislation requires U.S. companies to notify the Department of the Treasury of certain investments in China and other countries of concern.

This is a targeted measure. It only applies to sensitive technologies like semiconductors, artificial intelligence, hypersonics, and other capabilities that can ultimately be used against the United States.

To be clear, this does not stop investments from happening or interfere with the free market. It is strictly about transparency. It is about visibility. It will help us as policymakers see and understand the threats from China and other countries of concern so we can respond accordingly. I don't care how much American investors want to build a Burger King or Starbucks in China, but I do care if they are investing in cutting-edge technology that is going to be used to compete against the United States, either economically or militarily.

The second provision I am fighting to include is an extension of something called lend-lease authority, which expired at the end of September. This provision was created by legislation I introduced with Senator CARDIN from Maryland which is modeled after a similarly named program in World War II. But this is called the Ukraine Democracy Defense Lend-Lease Act, and it was signed into law in May of last year. It was rooted in the same principle as the World War II provision, which allowed the United States to supply Great Britain and other allies with military resources during World War II. President Roosevelt at the time vowed to transform the United States into the arsenal of democracy, as he called it, and the Lend-Lease Act is how he did it.

As I said, Senator CARDIN and I introduced this bipartisan legislation to remove some of the big bureaucratic hurdles that prevent us or slow us down from providing Ukrainian forces with the weapons they need, when they need them. Given the level of aid being provided by Congress for Ukraine, the Biden administration hasn't explicitly used that authority granted under that bill, but it doesn't mean it is not needed now.

Ukraine has committed to doing what it needs to do to defeat this invasion by Russia, but it will need additional assistance from the United States and our other allies in order to succeed. We all know that Ukraine's arsenal is shrinking, and it has asked the United States and other democracies around the world for additional aid, but the path forward, as we all know, is extremely muddy.

There is broad bipartisan support for the fact that America should support Ukraine, but there is growing concern over the cost of that assistance. That is why this legislation is so important. Lend-Lease is not a blank check. It gives the administration the option to lease or rent defense articles to Ukraine, just like we did Great Britain in World War II. This legislation will allow us to answer Ukraine's call to provide more of what they need and ensure it is done in a fiscally responsible way.

Over the last several months, the United States has provided Ukraine with unprecedented defense aid—Javelins, Stingers, grenade launchers, small arms, tanks, ammunition, and much more. These weapons have allowed the brave Ukrainians to punch above their weight against the Russian Army, which was once thought to be among the strongest in the world.

Additional American and allied assistance is vital to Ukraine's ultimate success, and we need to reauthorize the Lend-Lease authority as part of the Defense Authorization Act. This provision was included also in the House's NDAA, and I urge my colleagues in the Senate to fight for its inclusion in the final version of the bill.

Given the threats democracies are facing around the world, there could not be a more important time to prioritize America's defense. The National Defense Authorization Act, which I believe has been signed into law for 60-plus years in a row, should have already been signed into law before the end of September. Given the threats we face around the world, it is absolutely crucial that we finish the job as soon as possible.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mrs. BLACKBURN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### JUDICIAL NOMINATIONS

Mrs. BLACKBURN. Last week, the Senate Judiciary Committee considered several of President Biden's recent judicial appointments.

I would have thought that they would have figured out by now that they hit rock bottom a few months ago with some of these nominees that are not out of the mainstream, but they really are far left.

Here are some examples: Nancy Abudu, she endorsed political violence against conservatives; Todd Edelman used his authority to release a known criminal who then went on to participate in the murder of a child; Marian Gaston opposed residence restrictions for convicted child sex offenders; and DeAndrea Benjamin released violent criminals on bond, only to watch them offend again.

But not to be outdone, the White House has continued this trend with Seth Aframe's nomination to the First Circuit. The White House and Senate Democrats don't have a great track record when it comes to putting a nominee forward for this seat.

Back in February, I came to the floor to oppose Michael Delaney's nomination to the First Circuit bench. You will remember that Mr. Delaney threatened to expose a 15-year-old sexual assault survivor if she came forward with her story. That is right—he

threatened to expose a 15-year-old sexual assault survivor if she went public.

Well, that was a shameful debacle. Everyone saw it. You would think the President's team would have learned their lessons. But I think we were wrong on that, because out of all the talented attorneys and judges that are in the State of New Hampshire, the President has nominated Seth Aframe, who is disturbingly similar to Mr. Delaney in his disregard for victims.

I want to walk you through two of the cases that Mr. Aframe prosecuted. And these cases are things that should disqualify him from ever having a seat on the Federal bench.

Now, the first case that we will go to is U.S. v. Carpentino. This involved a criminal defendant guilty of extreme sexual violence against a 14-year-old girl with a hearing impairment.

Now, this defendant kidnapped this precious child and took her to an abandoned motel in Vermont, and he raped her. This defendant had just been released from a 13-year prison sentence for sexually assaulting minors in particularly violent ways. In one case, he smothered a little girl with a pillow while he raped her. This is a violent repeat offender.

There was no doubt this person was a clear and present danger to the community. Despite all of this, Mr. Aframe, as the prosecutor in this case, recommended a sentence far below the probation officer's suggested guidelines. Can you even imagine hearing this? And then saying: Let's go light on this guy. Let's go light. Let's go easy on him.

Now, what we have learned is that it is clear that Mr. Aframe wanted the low sentence. And I will tell you why, and I am going to use his own words.

And I think when the Presiding Officer hears this, you will see, this is someone who is not qualified for the Federal bench. He wanted the low sentence. He wrote he wanted the low sentence.

And I quote, he said he felt the low sentence will "incapacitate the defendant until he is in his 60s. Hopefully, by that time, the danger that the defendant presents will have subsided."

Now, think about this. He wants the low sentence because at the end of that low sentence, the guy would be in his sixties and, you know, hopefully, by then he won't be such a danger. I tell you, imagine this: "hopefully," using that. Can you imagine telling this little girl's family that, hopefully, this rapist won't do it again? Bear in mind, he had already been in prison for 13 years. He gets out, and he does it again. And Mr. Aframe is the prosecutor. What does he do? He wants a low sentence because the guy is going to be in his sixties and maybe he won't do it. Hopefully, he won't do it again. Hopefully, he won't be a danger. Hopefully, he will be too old and frail to go rape little girls. Unbelievable.

This is sickening. And this case alone should disqualify Mr. Aframe. But

there is more. And let's go to this second case.

Mr. Aframe was the prosecutor in United States v. Smith. And this case, reading this made me absolutely sick to my stomach. It is repulsive.

Mr. Smith was found guilty of conduct connected to the manufacturing of child pornography. He created not one or two, but six videos of himself sexually abusing a 3-year-old girl. Six videos. The details of the case are far too disgusting to repeat aloud. But to be clear: He raped a 3-year-old girl on camera.

As prosecutor in this case, Mr. Aframe said the most poignant evidence of the harm this defendant caused was—and I quote—"the look of fear in the young victim's eyes."

Poignant evidence, the look of fear in a toddler's eyes while somebody is raping her.

Despite this, Mr. Aframe recommended a 60-year sentence, nowhere near what this sick and depraved and disgusting human being deserved. Mr. Aframe noted that the perpetrator was a close friend of the victim's family. He worked to gain their trust for years just to commit these heinous acts, but Mr. Aframe still recommended a lenient sentence.

But what did the sentencing guidelines recommend? Life in prison. Mr. Aframe himself noted this in his sentencing memo, but when I pressed him under oath on why he refused to follow the guideline, he misrepresented the facts.

So let me set the record straight. The sentencing memo, that Mr. Aframe wrote himself, stated that the guidelines recommended a sentence of life in prison. That is what he should have gotten.

Madam President, I ask unanimous consent that a portion of that sentencing memo be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

UNITED STATES DISTRICT COURT DISTRICT OF NEW HAMPSHIRE: UNITED STATES OF AMERICA V. BRAD SMITH

Crim. No. 1:16-cr-00091-JL

UNITED STATES' SENTENCING MEMORANDUM AND OBJECTION TO DEFENDANT'S MOTION FOR A DOWNWARD VARIANCE

#### I. Background

On May 26, 2015, defendant Brad Smith created six videos of himself sexually abusing a three-year-old girl. From 12:42 p.m. to 1:47 p.m., the defendant instructed his victim to perform various sexual acts on him and ultimately placed her on her back, pulled her diaper around her ankles, and raped her. The defendant wore Google glasses while he did so in order to surreptitiously film the abuse.

On April 7, 2017, a jury found the defendant guilty of six counts of manufacturing child pornography in violation of 18 U.S.C. § 2251(a), for which the Sentencing Guidelines recommend a sentence of life imprisonment (Total Offense Level 43, Criminal History Category V). For the reasons set forth in greater detail below, the government proposes an incarcerative sentence of sixty years (720 months) to be followed by lifetime