

a distraction from their own terrible policies. They have all but ignored China's human rights violations. And, to date, they put more pressure on Israel than on Hamas to lay down arms.

Joe Biden's attempts to curry favor with the new axis of evil won't keep us safe because these nations aren't here to make friends. Their goal—the goal of that axis of evil—is to exploit our weaknesses until it becomes impossible for us to fight back.

This is a battle over borders, and, if we want to win, we need to lead by example and reassert our right to exist as a sovereign nation. We should start by securing our very own border.

In fiscal year 2023, the Border Patrol recorded more than 3.2 million enforcement actions along our southern border. In addition, we caught 151 known and suspected terrorists trying to illegally enter our country.

The Senate will have an opportunity to address this before the year ends, but I fear my Democratic colleagues will block those efforts or, worse, offer a half-baked solution and call it a job well done.

The majority leader insists that the issue of border security is just too partisan, and the majority whip insists that since we let the issue of border security go unattended for 30-plus years, we can afford to let it go just a little bit longer.

This is absolutely nonsense. I think it is also dangerous. If Joe Biden refuses to defend the sovereignty of his own country, our adversaries will assume they can act as aggressively as they want without any meaningful resistance from the United States.

If we refuse to defend ourselves, how can we be effective in defending Israel, our strongest ally in the Middle East?

Israel's sovereignty has been established across thousands of years of history, and still Hamas denies Israel's right to exist. That is how they justified violating the ceasefire and declaring war on the world's Jewish community, and it is frightening to see so many people in this country defending that decision. Every one of those individuals should watch the videos that we have watched from the GoPro cameras of those Hamas terrorists. It is revolting.

No peace plan is possible until Hamas is eliminated and the Palestinians recognize Israel's right to exist. To make this happen, we need to set an example by securing our own borders and then passing a stand-alone and straightforward aid package to help Israel do the same.

We all know that giving humanitarian aid to Gaza at this point means letting it go to terrorists. I would ask the majority leader and my Democratic colleagues to give Israel this funding without attaching dangerous conditions that will force them to undermine their own security.

Ensuring a free and sovereign Ukraine is also an important element of our foreign policy, but how can we

speak with any real authority about Ukrainian self-determination while holding ourselves to a lower standard?

When Putin attacked, the United States backed Ukraine with our words and our actions because we knew that if we didn't, millions of people would pay the price for our appeasement. We have a historic obligation to Ukraine, and continuing to send aid will serve as a powerful deterrent.

The American people understand how important it is to maintain that pressure on Russia and Vladimir Putin, but they don't think they should have to sacrifice their own security to do it. They also are very concerned about the total lack of transparency surrounding these aid packages.

Here is a stat. Since February of 2022, the United States has approved \$113 billion in total aid responding to Putin's war. This includes defense items sent via the Presidential draw-down authority, with no oversight. It is imperative that we have oversight and transparency around every single dollar that is going into Ukraine.

The reason? Right now Americans can't afford to spend even one more cent on gas or groceries, thanks to Joe Biden's Bidenomics. So they need to see that their money is actually going to be accounted for and that it is actually going to make a difference. We owe them a full accounting of how their money is being spent in Ukraine, how long we will maintain the flow of aid, and when they can expect to see us match those efforts here at home with our own border security plan. They also want to know: What is the strategy, and how are we going to make certain that Vladimir Putin does not win?

Joe Biden's actions speak much louder than his words. For 3 years now, he has projected nothing but weakness. He has sent a parade of diplomats to legitimize relations with the Chinese Communist Party. He has enabled Iran and its terrorist proxies—Hamas, Hezbollah, the Houthis, ISIS Iraq, ISIS in Syria—and he has sent billions upon billions of dollars in security aid overseas without giving a second thought to securing our own border.

At the height of the Cold War, Reagan said:

[I]f history teaches anything, it teaches that simpleminded appeasement or wishful thinking about our adversaries is folly. It means the betrayal of our past [and] the squandering of our freedom.

There is a lot of wisdom in that. We need to think about that history. Thousands of innocent people have already paid the ultimate price because Joe Biden has refused to heed that warning.

It is time to abandon this failed strategy of appeasement. It is time to project strength and resolve. It is time for our allies to know that they are our allies, that they can count on us. It is time for our enemies to fear us. It is time for us to make certain that we get an aid package—an aid package—to Israel. It is time for us to secure our

southern border. It is time for us to know who is coming into this country and why they are coming into this country.

If Joe Biden doesn't act to secure our border and defend our right to exist as a free and independent country, we are going to see the violence that threatens the sovereignty of Israel, Ukraine, and Taiwan bleed onto American soil, and no level of negotiation or appeasement will be able to stop it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Mr. President, I ask unanimous consent that the recorded vote begin immediately.

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

#### CLOTURE MOTION

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

The assistant bill 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 Executive Calendar No. 223, Irma Carrillo Ramirez, of Texas, to be United States Circuit Judge for the Fifth Circuit.

Charles E. Schumer, Christopher A. Coons, Alex Padilla, Mazie Hirono, Benjamin L. Cardin, Richard Blumenthal, Sheldon Whitehouse, Peter Welch, Michael F. Bennet, Robert P. Casey, Jr., Martin Heinrich, Jeanne Shaheen, Margaret Wood Hassan, Tina Smith, Ben Ray Lujan, Jack Reed, Gary C. Peters.

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 Irma Carrillo Ramirez, of Texas, to be United States Circuit Judge for the Fifth Circuit, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Pennsylvania (Mr. FETTERMAN) is necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from North Dakota (Mr. CRAMER) and the Senator from Alabama (Mr. TUBERVILLE).

The yeas and nays resulted—yeas 80, nays 17, as follows:

[Rollcall Vote No. 325 Ex.]

#### YEAS—80

Baldwin	Capito	Cruz
Barrasso	Cardin	Duckworth
Bennet	Carper	Durbin
Blumenthal	Casey	Ernst
Booker	Cassidy	Fischer
Boozman	Collins	Gillibrand
Brown	Coons	Graham
Budd	Cornyn	Grassley
Butler	Cortez Masto	Hagerty
Cantwell	Cotton	Hassan

Heinrich	Moran	Shaheen
Hickenlooper	Murkowski	Sinema
Hirono	Murphy	Smith
Hyde-Smith	Murray	Stabenow
Johnson	Ossoff	Tester
Kaine	Padilla	Tillis
Kelly	Peters	Van Hollen
Kennedy	Reed	Vance
King	Romney	Warner
Klobuchar	Rosen	Warnock
Lankford	Rounds	Warren
Luján	Rubio	Welch
Manchin	Sanders	Whitehouse
Markey	Schatz	Wicker
McConnell	Schumer	Wyden
Menendez	Scott (FL)	Young
Merkley	Scott (SC)	

## NAYS—17

Blackburn	Hoeben	Ricketts
Braun	Lee	Risch
Britt	Lummis	Schmitt
Crapo	Marshall	Sullivan
Daines	Mullin	Thune
Hawley	Paul	

## NOT VOTING—3

Cramer	Fetterman	Tuberville
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(Ms. KLOBUCHAR assumed the Chair.)

(Mr. PETERS assumed the Chair.)

The PRESIDING OFFICER (Ms. BUTLER). On this vote, the yeas are 80, the nays are 17.

The motion was agreed to.

The PRESIDING OFFICER. The Senator from Mississippi.

## CHINA AND RUSSIA

Mr. WICKER. Madam President, this is a difficult topic for me to discuss because it is so serious and because the United States has so much catching up to do. Two years ago, Congress created the bipartisan Congressional Commission on the Strategic Posture of the United States. We gave it the job of examining the strengths and weaknesses of our national security position.

The Commission report was released just last month. The report comments on an array of military issues, but its findings can be distilled to a single alarming fact: China and Russia are increasingly able to match our military might. And if we do not act now, the consequences will be seismic. Not only could we fail to deter a war, we might actually lose the next war.

The report finds that we are not prepared for what is coming. And here is what is coming: For the first time, we must stand up to the ambitions of two nuclear-armed peer adversaries in multiple regions of the world at the same time. That stunning conclusion means this report should be required reading for each of my colleagues.

And so I directed my staff to deliver a copy of this bipartisan report personally to every Senator, and I hope we take its message to heart.

The American military, in particular, our nuclear deterrent, has been one of the principal guarantors of global security—not just American security but global security—since the late 1940s. Our power crested at the end of the 20th century when the Berlin Wall crumbled, and we emerged as the world's sole superpower. But regrettably, instead of maintaining that competitive edge, we have allowed it to slip away in both conventional and strategic deterrents.

China and Russia watched as we shuttered our shipyards and ammunition plants, as we let our ships rust, and as we neglected to replace our aging Cold War nuclear arsenal. Then, as successive Presidential administrations let defense assets deteriorate, China and Russia poured more funds into their weapons stores. They built the kind of weapons needed to take us on in a conventional fight and keep us at bay in a strategic one.

This is not one Senator saying this; this is the bipartisan Commission that we tasked with investigating this thoroughly. The autocrats who ruled China and Russia began paying attention to more than our guns and ships. When our satellites and next-generation communications capabilities gave us an unbeatable edge in the Gulf war, these enemies, adversaries of ours, took notice.

We could see, communicate, and shoot from farther away than anyone else. When we deployed these tools, we inaugurated new ways to protect ourselves, cutting-edge technology, not mere masses of metal, would win the final argument of nations. But the leaders of Russia and China soon came to recognize this also. They began to meet our advances and ensure we could never do to them what we had done to Saddam Hussein's military in 1991.

Among the bipartisan Commission's direst findings is the fact that China and Russia have largely succeeded. China has built strike complexes of their own that make the prospect of war increasingly perilous. Their fleet of anti-satellite weapons and cyber warfare capabilities could render our military blind, deaf, and mute in a potential conflict over Taiwan.

U.S. victory, and, therefore, deterrence, was once a fait accompli, but today we risk war that would shake the foundations of everyday American life and the foundations of global peace.

The consequences of our negligence, together with the Chinese and Russian investment, are most acute when it comes to our nuclear position, which has been the foundation of our deterrence capability. Russian submarines are becoming much more advanced, and China is rapidly bringing missile silos online. Meanwhile, our Air Force personnel are still using floppy disks to operate missiles that are older than their parents, and they are flying bombers that are older than their grandparents.

Our nuclear submarines—the crown jewels of U.S. military power—are having to remain at sea longer as our fleet shrinks. Workforce problems and maintenance delays hold the fleet back from its potential. The AUKUS agreement is a tremendous diplomatic achievement that can be a game changer, but it must be implemented correctly. And right now, we are short of the attack submarines needed.

China and Russia now clearly realize that, by joining forces, they can help each other reach their goals. China wants to occupy Taiwan, and their

leader has said they need to be ready to do that as soon as 2027. Russia wants to puncture NATO's iron wall, and they want to help each other to do both. Their sinister intent and increasing capabilities make this the most dangerous national security moment we have faced in 75 years.

Paul Nitze, the Pentagon official whose strategic wisdom helped us win the Cold War, once said:

Our fundamental purpose is more likely to be defeated from lack of the will to maintain it, than from any mistakes we may make.

In other words, the future is ours to lose, but the future is still ours. This report recommends several policies that can help us end the damaging defense cuts of the past three decades and begin making investments we need.

The Commission's first recommendation is that we rebuild and expand the defense industrial base, including the National Nuclear Security Administration's nuclear weapons production infrastructure. In particular, Congress should partner with the administration and the Navy to establish a third public shipyard to conduct submarine maintenance. Again, this is the recommendation of a completely bipartisan Commission of experts.

The second proposal builds on the first. We need educational institutions and a talent pipeline to bring skilled tradesmen to this industrial base. These high-paying, stable, and long-term jobs do not require master's or bachelor's degrees. They can advance both national security and expand economic opportunity.

Finally, the report recommends a series of products we should prioritize. We need more conventional forces, and we should increase procurement of strategic nuclear capabilities like the B-21 and the *Columbia*-class submarine. We need improved missile defenses and rapidly deployable theater nuclear forces like the sea-launched cruise missile. Delivering these products would put our adversaries on notice and reassure our allies at the same time.

Of course, these actions come with a price tag, but we have always found our defense investments to be both expensive and priceless. It will cost money to deter China and Russia and Iran from threatening us, but it will cost much, much more—in money and in lives—if we do not. In the words of former Secretary of Defense Jim Mattis, “America can afford survival.”

The good news is that we have done this before. In the late 1970s, the Pentagon sowed the seeds of our defense technological revival, even as the Carter administration shrank from the world stage. But then in 1979, the Soviet Union invaded Afghanistan. That attack was a wake-up call. It taught Washington there is no substitute for superior military might.

Again, Paul Nitze helped form an organization that educated Congress, the Carter administration, and the American people about the Soviet Union's threat. The result was the Reagan defense buildup that won the Cold War.

We can do that again, but we must abandon the status quo and start thinking big again. The shocking warnings in this report should spur us to abandon our inertia and take bold actions that will lead us into the next American century.

I thank the members of this Commission for their years of hard work, and I urge my colleagues in both the House and Senate to take note.

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

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

#### EXECUTIVE CALENDAR

Mr. KAINE. Madam President, I ask unanimous consent that the Senate consider the following nominations: All nominations placed on the Secretary's desk in the Air Force, Army, Marine Corps, Navy, and Space Force; that the nominations be confirmed, en bloc; that 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; and that the President be immediately notified of the Senate's action.

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

The nominations considered and confirmed en bloc are as follows:

##### NOMINATIONS PLACED ON THE SECRETARY'S DESK

###### IN THE AIR FORCE

PN907 AIR FORCE nomination of Cole-Christian L. Holinaty, which was received by the Senate and appeared in the Congressional Record of July 27, 2023.

PN908 AIR FORCE nomination of Vincent W. Flory, which was received by the Senate and appeared in the Congressional Record of July 27, 2023.

PN1119 AIR FORCE nomination of Kirsten H. Thompson, which was received by the Senate and appeared in the Congressional Record of November 1, 2023.

PN1138 AIR FORCE nomination of Michael D. McCarthy, which was received by the Senate and appeared in the Congressional Record of November 6, 2023.

PN1140 AIR FORCE nomination of Benjamin T. Fedeles, which was received by the Senate and appeared in the Congressional Record of November 6, 2023.

PN1141 AIR FORCE nomination of Ashly C. Ruf, which was received by the Senate and appeared in the Congressional Record of November 6, 2023.

PN1142 AIR FORCE nomination of Brandon L. Sanders, which was received by the Senate and appeared in the Congressional Record of November 6, 2023.

PN1143 AIR FORCE nominations (2) beginning Li ZHAO MUECKAY, and ending ALEXANDER T. PARMATER, which nominations were received by the Senate and appeared in the Congressional Record of November 6, 2023.

PN1144 AIR FORCE nominations (2) beginning ZARI N. COFIELD, and ending JOSHUA

D. FORSYTH, which nominations were received by the Senate and appeared in the Congressional Record of November 6, 2023.

###### IN THE ARMY

PN1107 ARMY nomination of Samuel J. Nirenberg, which was received by the Senate and appeared in the Congressional Record of October 24, 2023.

PN1120 ARMY nominations (12) beginning THOMAS T. BOOTH, JR., and ending EAN P. WHITE, which nominations were received by the Senate and appeared in the Congressional Record of November 1, 2023.

PN1121 ARMY nominations (3) beginning MOISES A. CASTILLO, and ending TRUMAN L. TINSLEY, IV, which nominations were received by the Senate and appeared in the Congressional Record of November 1, 2023.

###### IN THE MARINE CORPS

PN1145 MARINE CORPS nominations (144) beginning AGUR S. ADAMS and ending CHRISTINA F. ZIMMERMAN, which nominations were received by the Senate and appeared in the Congressional Record of November 6, 2023.

###### IN THE NAVY

PN1146 NAVY nominations (3) beginning JOHN R. BARACHIE, and ending SARA A. ZANITSCH, which nominations were received by the Senate and appeared in the Congressional Record of November 6, 2023.

PN1147 NAVY nominations (27) beginning MICHAEL W. BARBER, JR., and ending ERIC J. YOUNG, which nominations were received by the Senate and appeared in the Congressional Record of November 6, 2023.

###### IN THE SPACE FORCE

PN1122 SPACE FORCE nominations (74) beginning KELLY N. ALEXANDER, and ending NICHOLAS Y. YEUNG, which nominations were received by the Senate and appeared in the Congressional Record of November 1, 2023.

PN1123 SPACE FORCE nominations (48) beginning BRANDON P. ALFORD, and ending MATTHEW C. WROTEN, which nominations were received by the Senate and appeared in the Congressional Record of November 1, 2023.

PN1124 SPACE FORCE nominations (80) beginning MATTHEW GUY ADAMS, and ending SHAWN WOODALL, JR., which nominations were received by the Senate and appeared in the Congressional Record of November 1, 2023.

PN1125 SPACE FORCE nominations (113) beginning ELIZABETH A. AGNEW, and ending LUKE G. WUNDERLICH, which nominations were received by the Senate and appeared in the Congressional Record of November 1, 2023.

PN1126 SPACE FORCE nominations (82) beginning ALEXANDER R. ALLARD, and ending TYLER T. WILLIAMS, which nominations were received by the Senate and appeared in the Congressional Record of November 1, 2023.

#### LEGISLATIVE SESSION

##### MORNING BUSINESS

Mr. KAINE. Madam President, I ask unanimous consent that the Senate proceed to legislative session to 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.

#### NOMINATION OF LIEUTENANT GENERAL TIMOTHY HAUGH

Mr. WYDEN. Madam President, I must regretfully object to the promotion of Lt. Gen. Timothy Haugh to the grade of general and, consequently, to be the Director of the National Security Agency—NSA—and Commander of U.S. Cyber Command.

In January of 2021, I made public an unclassified memo I received from the Defense Intelligence Agency revealing that it was purchasing, retaining, and using location data revealing the movements of Americans. After receiving that information, I pressed the Department of Defense to identify which other Agencies within the Department are buying Americans' personal data, including location data and web browsing records.

The Department provided me with that information in March of 2021, but marked the information "Controlled Unclassified Information"—CUI—a made-up designation with no basis in law. The administration is abusing the C-U-I designation to keep this unclassified information from the American public. In May of 2021, I wrote to Secretary of Defense Austin to urge him to remove the restrictions on that information, so that the American people can be told which Agencies are buying their information without court oversight and so that Congress can conduct appropriate oversight. In August of 2021, I received a response letter from the Under Secretary of Defense for Intelligence and Security, declining to clear the information for public release.

In connection with Lieutenant General Haugh's pending promotion to lead the NSA, I narrowed my request. I asked that the American people simply be provided yes or no answers as to whether the NSA is buying their location data and web browsing records. Unfortunately, intelligence officials have been unwilling to release even that basic information.

The American people have a right to know whether the NSA is conducting warrantless domestic surveillance of Americans in a manner that circumvents the Fourth Amendment to the Constitution. Particularly as Congress is currently debating extending section 702 of the Foreign Intelligence Surveillance Act, Congress must be able to have an informed public debate about the scope of the NSA's warrantless surveillance of Americans.

Until the NSA publicly releases the information described above, I must object to the Senate proceeding with the Haugh nomination.

##### ADDITIONAL STATEMENTS

#### RECOGNIZING THE UNIVERSITY OF MISSISSIPPI

• Mr. WICKER. Madam President, today I congratulate the leadership, faculty, staff, and students of my alma