

favor of literacy tests at the ballot box. Let me say that again. He has argued in favor of literacy tests at the ballot box.

He states:

Individuals who aren't informed about issues and platforms . . . have no business voting.

The fact that we are even considering his nomination under the circumstances is shocking.

Literacy tests have been tried in America. They are a racist relic from the Jim Crow era that we used to prevent immigrants and minorities from voting. It should not be controversial to say that no one who has argued for reviving racist Jim Crow laws belongs on the Federal bench, let alone for a lifetime.

Mr. Divine also referred to himself as a "zealot" for the anti-choice movement. Now, whether you are pro-choice or pro-life, you would think that someone who is that blatant and open in declaring himself a zealot on the issue would trouble you. This has been on full display in his role as Missouri solicitor general.

Mr. Divine has challenged women's ability to access the abortion drug mifepristone and has undermined the decision of Missouri voters to codify abortion access in their State constitution.

Previously, Mr. Divine wrote:

Because we know a genetically unique human comes into existence at fertilization, abortion should not be ethically permitted.

I know that is the position of some voters whom I represent and even of some members of my family. I disagree.

Taken at face value, this statement suggests that Mr. Divine opposes access to in vitro fertilization, IVF. Well, I have some beautiful grandkids who were the product of these IVF procedures. It was the only way that they could come to this Earth, and thank God they did. To think that this man who is seeking this lifetime appointment to the bench would not even answer the question on IVF is troubling.

Joshua Divine is too inexperienced to serve as a district court judge, and his radical views, I think, disqualify him.

I am also troubled by the nomination of Cristian Stevens. Following his confirmation hearing, I asked Judge Stevens whether he denounced the January 6 insurrection on the Capitol.

For those who don't remember, that was a time when a mob forced Congress to shut down the procedure of counting the electoral votes in the 2020 election. As a result of that decision, they stormed the Capitol; came into this Chamber; videotaped themselves vaping while sitting in the chair of the Presiding Officer, going through the desks of Senators, tearing up the place, and, unfortunately, attacking a lot of innocent people.

I asked Cristian Stevens about the January 6 insurrection. He said the use of the word "insurrection" was a legal conclusion—a legal conclusion—and

that it would be inappropriate for him to comment on it because it was a highly contested political issue.

Here is the cold, hard truth: The violent mob that ransacked the Capitol Complex in an attempted insurrection to stop the counting of the votes of that election led to the deaths of 5 police officers and injuries to more than 140 others. It triggered the largest prosecution in the history of the Department of Justice. Over 1,000 individuals were convicted and prosecuted for their activity that day.

The fact that this nominee couldn't acknowledge what happened that day and denounce the violence perpetrated against law enforcement is troubling. If you can't stand up for the men and women who keep us safe at this very moment in this building—who risk their lives for the Members, their staffs, and the visitors in the Capitol—you have no place in a lifetime position as a Federal judge.

I am also concerned about a law review article Judge Cristian Stevens wrote in defending the infamous 100-to-1 sentencing disparity between crack cocaine and powder cocaine.

I voted for it in the House of Representatives. Why? The idea was that crack cocaine was such a deadly and threatening narcotic that we were going to pass a sentencing provision that was really tough. Well, this was tough. It said, if you were convicted of possessing powder cocaine or an exact same amount of cocaine in crack form—in crystal form—you would be receiving a sentence for the crack cocaine that would be 100 times that of powder cocaine.

What happened as a result of it?

The result, I am sorry to say, didn't work. You would think, with that kind of sentencing hanging over you, people would think twice. It didn't work. As a result, more people were using crack cocaine after we passed the law, and the price on the street was going down instead of up. We filled the Federal prisons primarily with African Americans who had lengthy sentences—some of them over 20 years—for the simple sale of crack cocaine.

We decided that was wrong. I led the effort here on the Senate side. I am proud that I did. I was joined by CHUCK GRASSLEY, a Republican of Iowa, and MIKE LEE, a Republican of Utah. We passed a bill called the FIRST STEP Act, and it was sent to President Trump, who signed it into law in his first term.

Now comes Cristian Stevens, Judge Stevens, wanting a seat on the Federal bench. I am concerned about a law review article he wrote that defended the 100-to-1 disparity between crack cocaine and powder cocaine.

He wrote:

There may be evidence to suggest that these kinds of sentencing provisions are beneficial to black communities hardest hit by the crack epidemic.

I am disappointed that Judge Stevens continues to stand by an article that

defends crack-powder cocaine sentencing disparity—it was wrong then; it is wrong now—and he is certainly doing no one a favor by supporting that kind of penalty.

My Republican colleagues will likely vote for both of these nominees I have described—Mr. Divine and Judge Stevens on the Federal bench—without hesitation, but the American people deserve judges who will protect their basic fundamental rights, demonstrate independence and integrity, and remain faithful to the Constitution and the rule of law. Neither of these nominees has proven that they embody these attributes.

I will vote against both of these nominees. I urge my colleagues to do the same.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

#### NATIONAL DEFENSE AUTHORIZATION ACT

Mr. CORNYN. Mr. President, I know I am not the only one who feels like time flies, but it is hard for me to imagine that it has only been 6 months since President Trump was sworn into office—6 months.

When you look at what we have been able to accomplish together—the Republican majority in the House and the Senate and President Trump—it has been nothing short of amazing.

We passed President Trump's One Big Beautiful Bill and avoided a multitrillion-dollar tax increase on the American people, we codified DOGE cuts through the rescissions package just last week, and we have continued to confirm President Trump's qualified nominees to the executive branch.

These confirmation votes, of course, will continue apace, but as we are turning to the latter half of this first year in his second term of office, it is also time to focus on other work we need to do, like paying the bills, which is one of the most fundamental responsibilities of the Congress, and authorizing legislation to keep our country strong—passing legislation like the National Defense Authorization Act.

I have talked many times about my dad, who was a B-17 pilot in the Army Air Corps, World War II. He was a very young man when he flew 26 bombing missions over Nazi Germany. Unfortunately, he flew one too many because he was shot down and captured as a POW on his 26th. He was a POW—a prisoner of war—for about the last 4 months of World War II.

But I know my dad, whom Tom Brokaw called part of the "greatest generation"—the people who fought and won a world war in World War II—they believed and they hoped and they prayed that would be one of the last real threats of world war ever in our lifetime, but we are now living in what I consider to be the most dangerous time since World War II.

In many ways, Vladimir Putin and his Russia have already declared war

on the West, which is now raging in Ukraine. We know that Iran has been moving very deliberately toward a nuclear weapon. Thanks to President Trump's decisiveness, that has now been set back for an undetermined period of time. North Korea, which is developing ballistic missiles and threatening its neighbors in the east, in Asia, is now volunteering soldiers to fight with the Russians in Ukraine. And then there is China, which is determined to dominate the world stage economically and militarily.

But our Defense authorization bill, I believe, is one of the most important things we do here because this is what allows all of the other freedoms that we enjoy in this country to flow from—a strong America; peace through strength, as Ronald Reagan called it, and something that President Trump has embraced as well, peace through strength—because we know that weakness is a provocation; it is an enticement; it is an invitation to the world's authoritarians, bullies, and tyrants, who are more than happy to fill the gap when America is not strong. So we need to take this matter very seriously, reauthorizing the National Defense Authorization bill—something we have done for 63 consecutive years.

But one of the things that I am going to be focusing on as part of this Defense authorization bill is to finally address outbound investment in China.

As we speak, U.S. companies are spending billions of dollars in China, investing in Chinese companies, particularly those involved in critical technologies like quantum computing and artificial intelligence.

Because of China's military-civil fusion strategy, there is no such thing as a private sector and a public sector. Everything in China works toward the advancement not only of their economy but of their military as well. We know these investments are not simply enriching China's economy and fueling advances in consumer technology; they are directly bolstering China's military strength.

I have been raising alarm bells for a number of years now and working toward a solution to this critical strategic concern for a long time, and I have something to announce to my colleagues here: I am not going to give up. We are going to stay after this until we get it done right.

Two years ago, during the debate on the Defense authorization bill, the Senate voted 91 to 6—this is a bipartisan concern, 91 to 6—to include my amendment which contained provisions on outbound investment transparency. Even in the face of such overwhelming, nearly unanimous consensus—again, on a bipartisan basis in the Senate—to address outbound investment, this provision was stripped from the final bill, presumably at the service of the powerful special interests who want to continue to profit while putting our national security interests at risk.

Last year, provisions of outbound investment transparency were included

in the initial text to the end-of-year funding package. Unfortunately, in the midst of negotiations, that provision once again ended up stripped from the bill. But, again, I want to make it clear: I am not willing to take no for an answer on something that is so critical to our national security. I will not quit.

But the reality is, our time is running out. President Xi, the dictator who runs China and the Chinese Communist Party, has instructed his army, the People's Liberation Army, to be ready by 2027 to "reincorporate" Taiwan—not 2 years from now.

There are many voices emphasizing the importance of increasing our defense spending, which I certainly agree with, to prepare for a China contingency, as it is sometimes called. I don't disagree with those sentiments because, again, deterrence is the goal. We don't want to fight any wars we don't have to. We want to prevent war by American strength. But what good does it do to continue to increase our defense spending if American investors are simultaneously making investments in China in what amounts to the arsenal of our No. 1 strategic adversary?

As of 2023, the United States was investing close to \$2 billion in Chinese critical technology sectors, including semiconductors, quantum computing, and artificial intelligence. These are American companies investing in China, helping them to advance these critical technologies, which we are competing with here in America.

A report from the U.S.-China Economic and Security Review Commission pointed out that "the United States is the most important foreign source of investment to semiconductors, quantum computing, and [artificial intelligence] in China"—the most important.

There is a lot of talk right now about maintaining our strategic edge in the artificial intelligence race, but the first step in any competition is to make sure you are not helping your competition, your opponent, your adversary. Every dollar—every U.S. dollar—invested in China's AI sector is a dollar that is directly undermining the goal of U.S. dominance when it comes to this critical technology.

Once again, we have to keep in mind that in China, there is no neatly divided private and government sector division. All of this is in service of the Chinese Communist Party and their military. Chinese companies are required to work hand in glove with the Chinese Communist Party, which means that private sector technology advances and military advances are one and the same.

The time has come to stop dawdling when it comes to the Chinese Communist Party. Our national security is far more important than American companies chasing riches in the Chinese market.

I am very grateful to President Trump for focusing our attention more

acutely on China during his first term and now in his second term, especially with regard to both inbound—that is foreign direct investment in the United States—as well as outbound investment, which I am addressing right now.

Back in February of this year, the White House announced an America first investment policy, which builds on the work that we partnered with President Trump on during his first term to modernize the Committee on Foreign Investment in the United States—something known as CFIUS, by its initials. The purpose was to ensure that we are not opening up ourselves and America to risks through inbound foreign direct investment. But that inbound foreign direct investment is only part of the story. We also have to address the lack of transparency in outbound investment by American companies in China that is fueling the rise of China's technological advances.

I am very grateful to Secretary Bessent of the Department of the Treasury for his willingness to work with my office and colleagues here in the Senate on this topic. Earlier this year, I introduced the Foreign Investment Guardrails to Help Thwart China Act, or the FIGHT China Act, as it is called. This builds on earlier iterations of my legislative efforts to address outbound investment transparency. Secretary Bessent and his colleagues at the Treasury Department have been great allies and great partners, providing us with technical assistance on this legislation.

But time is a-wasting. Time is of the essence. Now is the time to recommit ourselves to treating this issue with the urgency that it deserves. The ugly truth is that without restricting outbound investment, we are funding the development of technologies and weapons that could one day be used to kill American soldiers.

Our bill, after all, is mainly about understanding the nature of what those investments are. It is mainly about transparency because we are flying blind as policymakers, really not knowing exactly how that money is being invested and how it is being used within China itself. My outbound investment transparency bill would address that so we would be able to understand the nature of that threat and take actions that we deem appropriate in the national interest.

So I would urge both our House and Senate colleagues to ensure that this year's National Defense Authorization Act addresses this critical issue. It is time for Americans to stop investing in China's military.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. HUSTED). 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.

## EXECUTIVE SESSION

## EXECUTIVE CALENDAR

Mr. THUNE. Mr. President, I move to proceed to executive session to consider Calendar No. 259.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Zachary M. Bluestone, of Missouri, to be United States District Judge for the Eastern District of Missouri.

## CLOTURE MOTION

Mr. THUNE. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative 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. 259, Zachary M. Bluestone, of Missouri, to be United States District Judge for the Eastern District of Missouri.

John Thune, Lindsey Graham, Katie Boyd Britt, Eric Schmitt, Tommy Tuberville, Marsha Blackburn, Mike Crapo, John Barrasso, Rick Scott of Florida, Chuck Grassley, Cindy Hyde-Smith, John Cornyn, Kevin Cramer, Ron Johnson, Ashley B. Moody, Mike Lee, Josh Hawley.

## LEGISLATIVE SESSION

Mr. THUNE. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

## EXECUTIVE SESSION

## EXECUTIVE CALENDAR

Mr. THUNE. Mr. President, I move to proceed to executive session to consider Calendar No. 50.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Aaron Szabo, of Virginia, to be an Assistant Administrator of the Environmental Protection Agency.

## CLOTURE MOTION

Mr. THUNE. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative 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. 50, Aaron Szabo, of Virginia, to be an Assistant Administrator of the Environmental Protection Agency.

John Thune, Tim Scott of South Carolina, Mike Crapo, Lindsey Graham, Tim Sheehy, John Kennedy, John Barrasso, Markwayne Mullin, Roger Marshall, Rick Scott of Florida, Mike Rounds, Tommy Tuberville, Steve Daines, Bernie Moreno, Eric Schmitt, Chuck Grassley, Jon A. Husted.

## LEGISLATIVE SESSION

Mr. THUNE. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

## EXECUTIVE SESSION

## EXECUTIVE CALENDAR

Mr. THUNE. Mr. President, I move to proceed to executive session to consider Calendar No. 131.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Matthew Lohmeier, of Arizona, to be Under Secretary of the Air Force.

## CLOTURE MOTION

Mr. THUNE. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative 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. 131, of Matthew Lohmeier, of Arizona, to be Under Secretary of the Air Force.

John Thune, Ted Budd, Katie Boyd Britt, Todd Young, Roger Marshall, Tommy Tuberville, Deb Fischer, Shelley Moore Capito, John Barrasso, Tim Scott of South Carolina, Steve Daines, Marsha Blackburn, Eric Schmitt, Pete Ricketts, Mike Crapo, Cindy Hyde-Smith, Tim Sheehy.

## LEGISLATIVE SESSION

Mr. THUNE. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

## EXECUTIVE SESSION

## EXECUTIVE CALENDAR

Mr. THUNE. Mr. President, I move to proceed to executive session to consider Calendar No. 87.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Richard Topping, of Ohio, to be Chief Financial Officer, Department of Veterans Affairs.

## CLOTURE MOTION

Mr. THUNE. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative 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. 87, Richard Topping, of Ohio, to be Chief Financial Officer, Department of Veterans Affairs.

John Thune, Eric Schmitt, John R. Curtis, Tim Scott of South Carolina, Bill Cassidy, Jon Husted, Steve Daines, Marsha Blackburn, Cindy Hyde-Smith, Ron Johnson, John Barrasso, Tim Sheehy, Mike Rounds, Bernie Moreno, Pete Ricketts, Jim Justice, Bill Hagerty.

## EXECUTIVE CALENDAR

Mr. THUNE. Mr. President, I ask unanimous consent to resume Calendar No. 171.

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

The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Terrance Cole, of Virginia, to be Administrator of Drug Enforcement.

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

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

## WAIVING QUORUM CALL

Mr. CRAPO. Mr. President, I ask unanimous consent to waive the mandatory quorum call with respect to the Cole nomination.

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

Mr. CRAPO. Mr. President, I ask unanimous consent that we begin the previously scheduled rollcall vote immediately.

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