

of the road for . . . trade and economics," the document makes clear President Biden believes "we have to move beyond traditional Free Trade Agreements."

But given the words of our Pacific friends, it is equally clear they have not moved beyond such agreements. In fact, they are doubling down on them without us. The President and his administration are either oblivious to this fact or indifferent.

Given the stakes, whichever one it is, it is a serious mistake. Dating back to the 1980s, the National Security Strategy is a congressionally mandated report issued by the President to convey the administration's national security goals and how to achieve them. In recent decades, one document is published each Presidential term rather than yearly.

The 2022 document, President Biden stresses upholding the "rules-based international order" but then refuses to engage in shaping one of the significant pillars of that order: trade.

The National Security Strategy invokes four principles, two of which are openness and inclusiveness. And as one scholar observed, the President's approach to trade is neither open nor inclusive.

This hurts our goals in this region, and it hurts Americans at home, our very national security. Our engagement really is about our own well-being. Our own well-being is often dependent upon the well-being of our friends and allies or those we want to be our friends or allies.

Economic partnerships can promote U.S. national security interests by protecting critical access to technology, minerals, and food supplies. We know what happens when we are so dependent upon one particular country for meeting our country's needs in strategic items. It is a mistake for us to have all eggs in a basket. Robust trade agreements safeguard the intellectual property and manufacturing capabilities that underpin our American military dominance.

Southeast Asia presents a situation in which our agricultural producers can score significant market access wins, while U.S. soft power can bolster our influence with these critical partners with these countries that are or can be our friends.

America's economy is the foundation of our power. Without the creation of wealth, we cannot afford to sustain the world's greatest military, which in turn defends the peace that enables the flow of goods. As a column in the Wall Street Journal just within the last week argued, "The U.S. must embrace the politics of growth. Our world must be, and must be seen to be, the surest, fastest path to raising living standards all over the world. That's what we did after World War II. We must find a way to do it again today."

What that is saying is we can't allow China to be seen as the path to economic well-being for people and na-

tions around the world and specifically in the South Pacific.

Southeast Asia presents a situation in which our agriculture producers can score significant market access wins while we are making a difference in our own capabilities to influence the world.

America's economy is the foundation of our power, and we must utilize it. In competing with China in the coming decades, it is essential that the United States provide a positive vision for the region that attracts countries to what America offers beyond security support. Leadership is more than making clear what we are against. We must offer a compelling case of what we are for and how it will benefit those we wish to lead, those we wish to be partners with.

Little in geopolitics is a win-win, but trade is a rare area that advances our interests and those of our partners. According to the Chicago Council on Global Affairs, the American people understand this. Three in four Americans think that trade is good for the U.S. economy, but Congress and the President are making a mistake ignoring the old idea of open trade.

To best compete with China in Asia and to help Americans at home, joining the CPTPP and providing greater market access is an obvious place to begin. Jobs, economic opportunity for us, and most importantly, the well-being of our Nation, our national security, depend upon trade and that relationship it creates.

(Ms. CORTEZ MASTO assumed the Chair.)

#### REMEMBERING GARY R. DOANE

Madam President, I rise today to honor the life and mourn the loss, the passing of a Kansan whom I was privileged to know well, Gary Doane. Gary touched the lives of all who knew him, and he left the world and our State a better place.

I know I speak for many, many others when I say we will all miss his wisdom and his kindness. In Kansas, we know the value of community, and we rely upon our neighbors in times of need. And Gary took these traits to heart, and his friends and neighbors always knew he would be there to lend a helping hand.

He was raised on a farm not far from my hometown, northwest of Downs. Gary knew the value of faith, of hard work, and service, and he practiced every day what he believed. He and his wife Glennys enjoyed 45 years of marriage, and they raised their three children on the farm just miles from his own childhood home. Gary was an active member in his community and a dedicated advocate for causes he believed in. He served at the county and State levels of the Kansas Farm Bureau, including 8 years on the State board of directors. He also served as chair of the board of directors of the Kansas Agriculture and Rural Leadership Program—what we know in Kansas as KARL.

Gary instilled a passion for service to his life in every circumstance. In 2001,

we had the pleasure of having his daughter Amy work on our staff when I was a Congressman representing "The Big First" in the House of Representatives.

Gary, what we all hoped to do, he did. He lived a life with purpose, and he loved to invest in the next generation of Kansans. He often spoke of how he wanted to help raise new leaders to preserve the same opportunities he enjoyed living and raising his family in North Central Kansas.

We all look for examples, and Gary's life is an example of the difference one person can make. And I know his legacy will live on in the community and in the State he loved. Rob's and my prayers are with his wife Glennys and his three children, Amy, Vic, and Edie, and the entire Downs community.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

DEMANDING THAT THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF CHINA AND THE COMMUNIST PARTY OF CHINA IMMEDIATELY RELEASE MARK SWIDAN

Mr. CRUZ. Madam President, a few months ago, I spoke on this floor about Mark Swidan, who has been unjustly imprisoned by the Chinese Communist Party for over a decade. Mark is from Luling, a small city in my home State of Texas. His mother, Miss Katherine Swidan, still lives in Luling. And for the last 11 years, Mark has endured a living hell, trapped in a Chinese prison. He is exposed to extreme heat and extreme cold. He is deprived of sleep. He is subjected to physical abuse. Mark has also been denied access to his family and to American diplomats.

And in 2019, a Chinese court sentenced Mark to death. Mark is being unjustly held by the Chinese Communist Party as a hostage. The CCP tells us that China is a great power, but this is how Third World thugs and dictators act.

I called for Mark's immediate release and called on the Biden administration to use any and every available means to secure Mark's freedom.

I am deeply distressed that since my speech on the floor a few months ago, Mark's plight has deepened. Recently, a Chinese court reaffirmed the death sentence imposed on him with a suspension for 2 years.

That is wrong, and it is outrageous. We need Mark to come home.

It is worth revealing how breathtakingly, infuriatingly unjust all of this is. How did it happen? On November 13, 2012, Mark was abducted by China's Public Security Bureau while he was in China on a business trip. A witness to the abduction said that Mark was detained because Chinese officials wanted to view the contents of his cell phone.

The Chinese officials accused Mark of being part of a criminal conspiracy to

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  
Sinema  
Smith  
Stabenow

Tester  
Van Hollen  
Warner  
Warnock

Warren  
Welch  
Whitehouse  
Wyden

##### NAYS—47

Barrasso  
Blackburn  
Boozman  
Braun  
Britt  
Budd  
Capito  
Cassidy  
Cornyn  
Cotton  
Crapo  
Cruz  
Daines  
Ernst  
Fischer  
Graham

Grassley  
Hagerty  
Hawley  
Hoeven  
Hyde-Smith  
Johnson  
Kennedy  
Lankford  
Lee  
Lummis  
Manchin  
Marshall  
McConnell  
Moran  
Mullin  
Paul

Ricketts  
Risch  
Romney  
Rounds  
Rubio  
Schmitt  
Scott (FL)  
Scott (SC)  
Sullivan  
Thune  
Tillis  
Tuberville  
Vance  
Wicker  
Young

##### 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