

The ACTING PRESIDENT pro tempore. Is there objection?

The Senator from Utah.

Mr. LEE. Mr. President, reserving the right to object. One hundred years ago, not many people could have imagined, certainly not predicted within a degree of accuracy, the kinds of technological advances that we have seen over the last century that have allowed us all to have lights in our own homes; to have televisions, cell phones, all manner of conveniences; and that these things would be widely available to rich and poor alike, urban and rural alike.

These are conveniences that are now so common that they are easy to take for granted. But they don't come about automatically. They didn't just happen. They have been brought to us as a result of labor and innovation and dedication of individuals who took chances and created something new.

Today, I stand opposed to the nomination of Shalanda Baker because she openly opposes the economic system that has brought so much fortune to our country. Regarding capitalism, free markets, Ms. Baker stated the following:

As we move into this new future, we must also remember that a just transformation of our energy system requires a careful interrogation of the racist, capitalist politics that currently drive it. We must expose, and then eradicate, these underpinnings.

Ms. Baker, in addition to having made statements like that one, advocates for a cap-and-floor model for electric utility pricing, one in which high-income individuals would pay a minimum—not a maximum, but a minimum of 6 percent of their entire household income on electricity; and then other households who are less wealthy—the least wealthy would pay no more than 3 or 4 percent of household income.

Look, I, too, want to make sure that our poorest citizens and our poorest communities have access to resources and are able to be lifted out of poverty, but placing obstacles in the way of competitive markets and denigrating the very concept of the competitive markets that have made electricity and so many other developments so available to so many people, rich and poor alike, would I fear; would I firmly believe; would I, am certain, end up preventing technological advances that benefit everyone in our society.

For these reasons, I oppose Ms. Baker's nomination, and I object.

The ACTING PRESIDENT pro tempore. The objection is heard.

The Senator from New Jersey.

Mr. BOOKER. Mr. President, I appreciate being recognized, and I am grateful that this conversation is being held between myself and the Senator from Utah, who is one of the more principled friends I have made in the U.S. Senate.

He has been a friend and a colleague, and we have worked and partnered on numerous things together. He is someone that, even though I think I am an

inch or two taller than him, I look up to, in all sincerity.

I worry about our Nation right now, that we are taking statements that people have made and whipping around them a lot of presumptions. There is a difference between saying I am against capitalism and I am against racist, capitalistic policies. That is a big difference.

We are a nation that exploded forth to be the dominating economy on the planet through the capitalist system. But the capitalist system was not fair and equal all the time. In fact, it did not reflect what Adam Smith himself, in his essay on moral sentiments, talked about.

Capitalism is an ideal that the best way to distribute goods and opportunity is through this idea of a free market, where everyone has access. Clearly, that has not been the case in this Nation when African Americans were originally, in a capitalist system, slaves. Even after the period of our greatest national sin, Blacks were still held out of equal opportunity to be competitive.

If you look at, perhaps, some of the greatest ideas of capitalism—this idea of working the land with your sweat and labor to produce products to sell into the market—well, look at something like the Homestead Act, where in many ways that land belonged to Native Americans who did not have that same free and equal opportunity. Think about the Homestead Act and how waves of incredible, hard-working European immigrants got that land, but Blacks were excluded.

No one in this body would deny that that is patently racist.

And this continues. In a lot of our biggest businesses, up until the sixties and seventies, women weren't allowed equal opportunity. That is a capitalist, sexist system that denied equal opportunity.

We know this from African Americans. I know this from my own family story about my father, here in this area, coming after college and being the first Black person hired by a small tech company the President may have heard of called IBM—the first Black salesman in the entire Virginia area, as walls were broken.

My father told me the story of why he left the company that he was working with. Because one of his managers said: You should get out of here because no nigger is ever going to be allowed to be a manager at this company.

That is racism.

So here is a nominee who—in the context literally that my colleague read, racist, capitalist policies—no one can deny that these policies existed in our country and that the free-market system hasn't been free.

People on both sides of the aisle, I have heard, speaking to the corporate concentration that is going on, the monopolistic practices we are seeing everywhere from the pharmaceutical in-

dustry to pharmacies, from farms to tech, that is working against the free-market, capitalist ideas of great philosophers, like Adam Smith. So to object to someone for that reason, to me, is patently unfair.

And my colleague also objected because of a policy. He described one policy. Well, Shalanda Baker is not going to be in a position where she is making policy. She is going to be charged with ensuring that there is equal access and opportunity in a wide range of the Department of Energy's programs, opportunities, and resources; that we are a more inclusive and more equitable Nation. That is her charge.

And this work is vital because nearly, in America, one in three households are energy insecure, meaning that they have difficulty paying their energy bills; and research has, unfortunately, shown that low-income households, disproportionately Black and Brown households, are more likely to be energy insecure.

I love this Nation more than any other country on the planet Earth. Yet we still have injustices that show that African Americans are disproportionately subject to inequalities.

The crazy thing about this is a spiritual law that Martin Luther King embodied so well. He said:

Injustice anywhere is a threat to justice everywhere.

It is a truth.

In America, poverty is not just a problem of the poor; it costs this country more than a trillion dollars every year. So dealing with the fact that Blacks are disproportionately poor brings resources to us all. Every dollar raising one child above a poverty level returns \$8 to our economy. So addressing inequality, addressing disparities, helps everyone.

Energy justice isn't something we talk nearly enough about, and that is why Ms. Baker's role is so important. So I am disappointed today.

I voted against a lot of Trump nominees, but I voted for a lot whom I disagreed with on policy. There is an urgency right now on this issue in America. There is an urgency right now to be a more just and inclusive society. There is an urgency right now to create deeper community in this country and to ensure that everyone has the fruits of liberty and opportunity. It is what we swear an oath to. It is what Ms. Baker's job is all about—making real the words of our united pledge that we will be a nation with liberty and justice for all.

I yield the floor.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

DEBT CEILING

Mr. MCCONNELL. Mr. President, for 2½ months, the Republicans have provided a clear and consistent roadmap for Democratic government to raise the debt ceiling. Democrats have had

2½ months' notice to use the fast-track, party-line reconciliation process, which they have already used happily this year and already intend to use once again. But the Democrats who run Washington have done nothing. They have squandered week after week after week. The Senate has been voting on midlevel nominations. And 2½ months later, our colleagues complain that time is running out to do their job. They are frantically asking our side for shortcuts.

Now, in the past 2 days, I have had the surreal experience of watching both the President of the United States and the Senate majority leader be asked about the future of the U.S. economy. Their respective responses were "That's up to MITCH MCCONNELL" or "Ask MITCH MCCONNELL." Well, what about the third Democratic leader, the Speaker of the House? Well, she has headed to Europe—headed off to Europe. I can only presume she hopes the full faith and credit of the United States will get sorted out without her.

That is the level of leadership and accountability the country is getting from the Washington Democrats who run the country. These are the leadership skills of people who spent 2½ months doing nothing and then complain they are short on time. That is the attitude that has gotten Democrats a self-created inflation crisis, border crisis, Afghanistan crisis, and free-falling favorability with the American people.

Now, it is not clear whether the Democratic leaders have wasted 2½ months because they simply cannot govern or whether they are intentionally playing Russian roulette with the economy to try to bully—bully—their own Members into going back on their word and wrecking the Senate. Either way, it is exactly the kind of recklessness that has this unified Democratic government's public approval in total free fall—free fall.

Even now, while the Democratic leader complains that he is short on time, he continues to waste time with partisan stunts that are dead on arrival. He has scheduled yet another vote this afternoon which he knows will fail. The majority has known for 3 months that show votes like this would go nowhere.

This year, Democrats requested and won new powers—new powers—to repeatedly reuse the reconciliation process. In the past few days, Democrats in both the House and Senate have publicly admitted their party could handle—could handle—the debt limit that way. Our colleagues have plenty of time to get it done before the earliest projected deadline. There would be potential for time agreements to wrap it up well before any danger. But the Democratic leaders haven't wanted solutions; they have wanted to turn their failure into everybody else's crisis. Playing risky games with our economy; using manufactured drama to bully their own Members; indulging

petty politics instead of governing—their entire failed approach to governing in a nutshell, on full display for the country to see.

#### BIDEN ADMINISTRATION

Mr. President, now on a related matter, President Biden makes two claims about the reckless taxing-and-spending spree the Democrats are writing behind closed doors. Listen to this: He is saying it costs zero dollars—zero dollars—but he needs massive tax hikes to pay for it. Talk about magical Washington math. If they embark on a Washington spending binge, as long as they send the bill to the American people and not themselves, they consider the whole thing free of charge—free of charge.

Of course Democrats' plans wouldn't pay for themselves. That is why their reckless spending spree needs to come paired with a historic redistribution of wealth from the American people over to the Federal Government. With trillions of dollars in new spending comes the largest peacetime tax hike on record.

Democrats' reckless taxing-and-spending spree isn't even fully developed, and it already contains more than 40 different tax increases that would hurt families and help China. Some of the tax hikes take aim at workers and families directly. Others target small businesses, passthroughs, and family farms with extra burdens. Still others would make it harder to invest, create, and sustain jobs here in America instead of overseas.

Ivy League economists say the Democrats' tax hikes would increase the incentive for American companies to move investments and profits overseas. Under Democrats' proposed expansion of the global minimum tax, more than a dozen of our most developed peers would have tax structures more favorable to U.S. companies than our own. If President Biden got his way on corporate taxes, even China would become more hospitable to job creators by comparison.

So let me say that again: Democrats are planning to send America's top tax rate for job creators higher—higher—than communist China's.

Needless to say, the biggest losers when Democrats make it harder to do business in America are, of course, American workers. Based on data from the Joint Committee on Taxation, two-thirds of the burden of the corporate tax hike Democrats are trying to ram through would end up falling on lower and middle-income Americans; 98.4 percent of it would hit Americans with incomes under \$500,000. It turns out that President Biden's promise that taxes wouldn't go up for the vast majority of American families wasn't worth all that much.

Not only are their taxes set to go up, so is the budget of the IRS. Democrats want to spend \$80 billion so the Federal tax authorities can expand their reach into financial habits of average Americans, snooping on transactions as small as \$600. They want to finance their

spending spree by effectively treating every ordinary American as if they were under IRS audit—every ordinary American as if they were under IRS audit.

I must have forgotten when the President campaigned on giving everybody their own audit. I don't remember him saying that last year. It isn't ordinary middle-class Americans who need a careful audit; it is the Democrats' reckless taxing-and-spending spree, with these historic tax hikes that would hurt families and help China.

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.

Mr. CASEY. Mr. 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.

#### NOMINATION OF ELIZABETH MERRILL BROWN

Mr. CASEY. Mr. President, I come to the floor to call for the confirmation of a highly qualified nominee to the Department of Education.

Over the past year and a half, we all know that this pandemic has made life harder for so many Americans but especially students across the country, disrupting their classrooms and their learning, challenging their mental health, and deepening inequities.

And while we have made significant progress, our work to get everyone through this pandemic is far from over, to say nothing of the challenges in our education system that predate the pandemic. For example, rooting out systemic racism at every level, ensuring students have safe modern schools and infrastructure, addressing the student debt crisis and high cost of higher education, and ending the epidemic of campus sexual violence, just to name a few.

In light of all of these challenges, we need a fully staffed education department to help see our schools through this pandemic and to help us build back stronger and fairer, which is why I have come to the floor today to call for the Senate to confirm Lisa Brown, the nominee to be general counsel for the Department of Education.

I won't recite her significant experience, but suffice it to say she has great public service credentials in the executive branch of our government over many years. Lisa Brown proved herself well—I should say, proved herself well prepared for the work ahead when we had our Health, Education, Labor, and Pensions Committee hearing with her and she was passed out of the committee on a bipartisan voice vote. I will say that again—a bipartisan voice vote.

She is a highly qualified nominee and should not be a controversial one. Students, parents, and educators deserve to have her confirmed so she can get to work for our communities. I urge all my colleagues to join me in supporting her.