

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

CHINA

Mr. THUNE. Mr. President, the threat that China poses is widely recognized. Recent events laid bare the Chinese Communist Party's interest in spying on Americans. The Chinese military is growing more aggressive in the Indo-Pacific, especially toward Taiwan. And China is aligning itself with other adversaries like Russia, whose war against Ukraine China has helped support.

We need to make the right decisions now to ensure that the United States is able to counter China from a position of strength, which brings me to the majority leader's current China proposal. Last month, the Democrat leader launched an initiative Democrats are calling China Competition bill 2.0. While this proposal has some laudable goals, a lot of Republicans are rightly skeptical of this initiative. Leader SCHUMER's last China initiative massively ballooned in cost, and now it is being implemented by the Biden administration as a vehicle for advancing progressive policies.

I am not alone in fearing the Democrats' latest initiative will turn out to be just more of the same. If Democrats are serious about competing with China, one thing they should be doing is making passage of a robust National Defense Authorization Act a priority.

Unfortunately, the NDAA has not exactly been a priority for the Democrat leader over the past 2 years. In fact, last year, Senator SCHUMER refused to bring the bipartisan Senate Armed Services Committee-passed bill to the floor. This critical legislation was allowed to languish for months before a negotiated bill with the House and the Senate finally passed in December of last year.

Our national security should not be an eleventh-hour concern.

I am encouraged that the Senate markup of the NDAA is occurring next week and that the majority leader is inclined to bring it to the floor in July. And I hope that holds.

China has made investment in its military a priority. Over the last 10 years, China's defense budget has doubled. This year, it will increase by more than 7 percent for the second year in a row, not counting any additional defense funding that China hides. It comes as no surprise that China is outpacing our military in modern capabilities like hypersonic missiles and has amassed a larger Navy.

Recent U.S. war games positing a U.S.-China conflict following an attack on Taiwan have had grim results, showing enormous military and economic costs on both sides. These war games also made clear that the United States would run through its inventory of munitions, especially for long-range strike, in a matter of weeks, blunting our ability to sustain a protracted conflict.

The United States, along with our allies and partners, need to maintain a credible deterrence to ensure that the cost is prohibitively high and the odds of success are extremely slim for China to attack across the Taiwan Strait or further attempt to assert any absolute control within the so-called First Island Chain. To do that, we have work to do on boosting our military's resources and readiness. At the very least, that starts with taking up each year's Defense authorization and appropriations bills in a timely fashion.

Besides building up our military, one of the best ways to ensure our competitiveness with China is to strengthen American industry so we continue to lead in the breakthroughs, innovations, and advanced technologies that will define the future. How we attempt to do that matters.

The President and Democrats in Congress have shown their preference for heavy-handed and often costly industrial policy that bestows taxpayer-funded subsidies on certain select industries, and it would be wise to ask where this will put us in the next 5, 10, and 20 years. Will it stifle innovation in our most important engines of growth? What will be the result of government picking winners and losers? Will small businesses and new enterprises be able to compete with large, established, and government-subsidized firms?

The way the Biden administration has so far been implementing its subsidy programs makes me suspect that we are well on our way to having government bureaucrats play an outsized role in our economy, with correspondingly negative effects.

Look no further than the strings that the Commerce Department has attached to funding for semiconductor manufacturers. The Department is giving preference to companies using union workers and, in some cases, conditioning funding on companies offering employee benefits that align with the Biden administration's agenda. It is the opposite of creating a level playing field.

America succeeds when innovators and entrepreneurs are empowered to do what they do best, and government steps out of the way. Government should be focused, not on heavy-handed regulation or picking winners and losers but on creating the conditions on which all businesses, large and small, can thrive.

Republicans have shown how pro-growth policies like this lead to greater investment, more opportunities for workers, and a stronger economy for all. Take our 2017 tax reform legislation. The Tax Cuts and Jobs Act lowered tax rates for owners of small- and medium-sized businesses, farms and ranches, and made it easier for them to recover the cost of investing in their businesses, which, in turn, freed up cash for them to invest in their operations and their workers.

It lowered our country's sky-high corporate tax rate to make American

businesses more competitive in the global economy. And it brought our international tax system into the 21st century so that American businesses no longer operated at a disadvantage to their foreign counterparts.

And it worked.

In the wake of the Tax Cuts and Jobs Act, incomes grew, unemployment fell to a 50-year low, the income gap in this country narrowed, and the list goes on. Business investment increased, inventions—which is tax speak for companies moving their headquarters overseas—stopped. Companies created new jobs and invested in their employees, and they opened new opportunities for American workers by moving production and capital into the United States and bringing substantially more than a trillion dollars in offshore funds home.

One major thing—one major thing—that we could do to help boost our economy and increase our competitiveness with China is to extend the expired provisions of the Tax Cuts and Jobs Act to give certainty to American businesses and entrepreneurs, and in Democrats' case, commit to not repealing key Tax Cuts and Jobs Act provisions.

In the defense space, we can enhance the certainty for businesses by authorizing more multiyear acquisition contracts for key munitions like those used by the B-1 bomber, something that would both enhance economic growth and strengthen our Nation's defense.

We also need to resume a real and robust trade policy. For the last 2½ years, the Biden administration has put trade on the back burner to the detriment of our economy and our place in the world. Trade opens new jobs and opportunities for American workers. It helps businesses and agriculture producers access new markets, which grows our economy, and it provides an opportunity to develop important strategic relationships, foster ties with our allies, and advance U.S. priorities abroad.

Under the Biden administration, the United States has been essentially inactive—inactive—on trade, but the rest of the world has not. China, for one, is currently negotiating or implementing a number of new trade agreements, adding to its already large portfolio of trading partners. These agreements aren't just economically advantageous, they are allowing China to build sometimes predatory relationships that serve to expand its sphere of influence.

One of the most important things we can do to ensure that our country remains competitive with China is to re-engage on the trade front and get to work on trade deals that expand market access and strengthen our relationships with other countries, particularly those that neighbor China.

There are a number of other steps we can take to boost our competitiveness with China, things like unleashing American energy production to increase our energy security and to boost

American industry, developing critical mineral resources here at home instead of relying on China for so much of our critical mineral supply, expanding our own security and technological partnerships so we have a more agile and resilient supply chain, and more.

If the Democrat leader is serious about improving our competitiveness with China and not just funding progressive priorities, these are the kinds of things that he should focus on for his bill.

There is no question in my mind that the United States can successfully compete with and deter aggression from China. But to do that, we have to make sure that we are doing the right things to build up our military and ensure that American industry can thrive. And I hope that as we move forward, we will make securing our competitiveness with China a priority and ensure that any China initiative does not simply become a vehicle for more spending on progressive fantasies.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. LUJÁN). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

NOMINATION OF NUSRAT JAHAN CHOUDHURY

Mr. DURBIN. Mr. President, today, the Senate will vote to confirm Nusrat Jahan Choudhury to the U.S. District Court for the Eastern District of New York. Her historic confirmation will be an important step forward in this Senate's efforts to bring greater professional and demographic diversity to the Federal bench.

Ms. Choudhury is a seasoned litigator who has dedicated virtually her entire career to defending the civil rights of all Americans. She attended Columbia University and Yale Law School before clerking for Judge Denise L. Cote on the Southern District of New York and for Judge Barrington D. Parker, Jr., on the Second Circuit Court of Appeals. Following her clerkships, Ms. Choudhury began her career at the American Civil Liberties Union—ACLU—in New York, where she focused on racial justice and national security issues for nearly a decade. Since 2020, she has served as the legal director of the ACLU in my home State of Illinois, specializing in issues including prison reform, civil rights, and government transparency. Ms. Choudhury has spent the vast majority of her time in practice litigating in Federal court, and she has tried three cases to verdict. Her courtroom experience and commitment to ensuring equal justice under law will serve her well on the Eastern District of New York.

She will also bring important diversity to the bench as the first Bangladeshi American and first Muslim woman to serve as a Federal judge.

The American Bar Association rated Ms. Choudhury “well qualified” for the district court, and she has the strong support of her home State Senators: Mr. SCHUMER and Mrs. GILLIBRAND.

I support Ms. Choudhury's nomination, and I urge my colleagues to do the same.

Mr. HEINRICH. I ask unanimous consent to start the regularly scheduled vote.

VOTE ON CHOUDHURY NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Choudhury nomination?

Mr. MANCHIN. 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 the roll.

Mr. THUNE. The following Senator is necessarily absent: the Senator from South Carolina (Mr. SCOTT).

The result was announced—yeas 50, nays 49, as follows:

[Rollcall Vote No. 164 Ex.]

YEAS—50

Baldwin	Heinrich	Rosen
Bennet	Hickenlooper	Sanders
Blumenthal	Hirono	Schatz
Booker	Kaine	Schumer
Brown	Kelly	Shaheen
Cantwell	King	Sinema
Cardin	Klobuchar	Smith
Carper	Luján	Stabenow
Casey	Markey	Tester
Cooms	Menendez	Van Hollen
Cortez Masto	Merkley	Warner
Duckworth	Murphy	Warnock
Durbin	Murray	Warren
Feinstein	Ossoff	Welch
Fetterman	Padilla	Whitehouse
Gillibrand	Peters	Wyden
Hassan	Reed	

NAYS—49

Barrasso	Graham	Paul
Blackburn	Grassley	Ricketts
Boozman	Hagerty	Risch
Braun	Hawley	Romney
Britt	Hoeven	Rounds
Budd	Hyde-Smith	Rubio
Capito	Johnson	Schmitt
Cassidy	Kennedy	Scott (FL)
Collins	Lankford	Sullivan
Cornyn	Lee	Thune
Cotton	Lummis	Tillis
Cramer	Manchin	Tuberville
Crapo	Marshall	Vance
Cruz	McConnell	Wicker
Daines	Moran	Young
Ernst	Mullin	
Fischer	Murkowski	

NOT VOTING—1

Scott (SC)

The nomination was confirmed.

The PRESIDING OFFICER (Mr. KING). 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 Louisiana.

Mr. KENNEDY. Mr. President, also with me today is Mr. James Shea, who is one of my colleagues.

ENERGY

Mr. President, the American people, as we all know, are facing many serious—one might describe them as grave—issues, some of which fall under

the purview of our U.S. Department of Energy. Average gas prices remain well above \$3 a gallon. That is a hardship on a lot of Americans. That is up 50 percent since President Biden took office. Average electricity prices—that is something we have to deal with every day—have increased 14.5 percent since 2022. Our aging power grid remains at risk for devastating cyber security attacks. While China's nuclear stockpile is growing, ours is getting older, and it is getting smaller.

These are weighty problems. The Presiding Officer knows that as well, if not better, than I do. These problems cost the American people a lot of money, and they place our national security at risk. They are all impacted by the U.S. Department of Energy and the policy that it creates. But instead of trying to get control over our gas prices or the national security issues I just mentioned, President Biden's administration and his Energy Department, frankly, seem more concerned about Americans' basic kitchen appliances, and suddenly dishwashers seem to be enemy No. 1.

The Department of Energy recently announced that it would be proposing a new rule to regulate the amount of water and the amount of energy used by dishwashing machines nationwide. Now, under the proposed rule—I want to describe it fairly. Under the proposed rule, dishwashers will only be able to use 3.2 gallons of water per cycle. Right now, the rule allows—although dishwashers don't use this much, the rule allows a dishwasher to use 5 gallons of water per cycle.

No person with a brain above a single-celled organism has asked for this change. No reasonable circumstance demands it. Instead, the Department of Energy and President Biden's administration have harkened to the extreme climate activists who, frankly, we have learned from bitter experience will find any reason to micromanage the lives of Americans, by force if necessary.

Let me give you a case in point. Most American dishwashers already use less than the 5 gallons of water that are allowed under current regulations. In fact, most American dishwashers use not 5, which is allowed, but 3.5 gallons of water per cycle. Why? Because the EPA, the Environmental Protection Agency, gave its Energy Star standard seal of approval to any dishwasher that will use 3.5 gallons or less. So even though a dishwasher can use up to 5, to get the seal of approval, which most dishwashers have and most manufacturers want, you have to use 3.5 or less.

Now, despite being EPA-approved, the Department of Energy's new rule will force manufacturers to abandon these efficient designs that we are already using to placate people who arbitrarily want not 3.5 but 3.2 gallons of water per cycle. And you may be thinking, OK, well, we will save 0.3 gallons per cycle. We will not.

I want to sidetrack a moment, but this is relevant. During President