

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. LUJAN). 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 President, I ask unanimous consent that the order for the quorum call be rescinded.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	Lujan	Stabenow
Casey	Markey	Tester
Coons	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

Obama's administration, his regulators imposed a similar restriction. The results were disastrous. His rule was adopted in 2012, some may recall, and increased the price of dishwashers by \$100. That is \$100 in 2012 dollars; it is more today. In exchange for those higher prices, the regulation that President Obama promulgated forced Americans to buy machines that don't wash their dishes nearly as well as the older machines, and that will prove the case with this new rule that is being promulgated by the Department of Energy.

Now, if you have one of these dishwashers—not the ones that have yet to be approved by the Department of Energy but the ones mandated under President Obama—you know how it goes. You have to prewash the dishes. I mean, it defeats the whole purpose of a dishwasher. If you don't prewash the dishes, half the gravy is still going to be on the plate after the first run.

So that leaves families with a choice: You can run the dishwasher twice, which uses twice as much water, in order to get your dishes clean or you have to hand-wash your dishes, which is going to use about 17 gallons of water. Both of these options—and, once again, this is not the new rule yet. We are under President Obama's restrictive but less restrictive rule. Both of these options waste more water than the older washers.

Now, the Department of Energy itself admits that 20 percent of families who own a dishwasher never use it. Why is that? It is not because dishwashing is fun; it is because they don't want to taste last night's jambalaya in their morning Cheerios when these weaker machines don't do their job.

So now, instead of having dishwashers use enough water the first time to actually clean dishes, we are going to have even more families opting to use an average of 17 gallons of water per night to wash by hand.

Let me restate this. Under President Obama's regulation, which will be made even worse by the proposed regulation by President Biden, if you wash your dishes the first time, they don't get clean. And those of you who use a dishwasher know what I am talking about. You do save water the first round, but your dishes aren't cleaned. So you are forced to use the dishwasher a second time, which uses even more water, or you are forced to wash your dishes by hand, which uses three times more water.

Now, you don't need to be Euclid to see that this does not add up to water savings, and it makes even less sense when you consider the savings in electricity. The Department of Energy's new rule says it will cut the amount of energy that dishwashers can use by 27 percent. Shoot; we will all be for that. It will cut the amount of electricity, the energy, from 307 kilowatt hours annually to 223 kilowatt hours. That is for a standard dishwasher.

The Department of Energy under President Biden says that this will help

reduce "carbon pollution" and it is going to save the American people money, and, in reality, it won't.

By decreasing the amount of allowed energy use by 27 percent under this new proposed rule, the new rule will save 84 kilowatt hours annually. That is fewer kilowatt hours than it takes to run an LED light bulb for a year. We are not talking about serious energy savings.

How much will it save the American people? Using the very generous estimates of the Department of Energy, it is going to save Americans about 17 bucks annually every year. That is not even enough for a tank of gas under President Biden's inflation. However, once again, I will draw a parallel to the so-called water savings. Once again, the lesser performance capacity in these energy-efficient machines is going to result in more Americans choosing to run the machine twice or to hand-wash the dishes just to get the plates clean.

It is important to consider the context too. Louisianans—let me talk about my State. I know my State best, just as the Presiding Officer knows his wonderful State best. Louisianans are paying an extra \$740 a month—not a year, a month—because of President Biden's inflation. That is almost \$9,000 a year. And most of my people are not wealthy people.

Let me just read you—these are not my numbers; these are the numbers compiled by President Biden's own government. Electricity is up 20 percent; gas, 48 percent; eggs—I know they have come down a little bit, thank God. They are still up 67 percent. Potato chips are up 28 percent. Bread 27 percent. Coffee 30 percent. Rice 28 percent. Flour is up 24 percent. Milk is up 20 percent. Ice cream is up 21 percent. Chicken is up 21 percent. Bacon—I don't want to live in a world without bacon—it is up 10 percent.

I could keep going. I mean, the American people and my people are burning through their savings, and they are getting priced out of the housing market, but President Biden's administration seems to be obsessed with robbing our people of access to affordable appliances that actually get the job done; and I can't think of any better evidence of the fact that, in too many instances, this administration has a fatal attraction to nutty ideas.

I am not against regulation. I mean, I think the world is complicated and, in some cases, dangerous; and if we can make it more efficient and safer for our people, we ought to do it; but you have to weigh the cost and the benefit. You have to weigh the cost and the benefit.

This is what we know, after doing that, under this proposed new rule. The new rule is not going to save water. It is not going to save a significant amount of energy. It is not going to save the American people money. In fact, it is going to cost them money. This new policy is not going to be a win for America, but I will tell you

who it will be a win for—the People's Republic of China.

China is the world's largest producer of CO₂ emissions. We are reducing our CO₂ emissions; China is increasing its CO₂ emissions. China stands to benefit from this rule because it produces about 70 percent of the world's dishwashers, and China is probably going to produce 70 percent of the new dishwashers mandated by the Department of Energy—more business for China. The dishwasher manufacturers in China are delighted.

Now, these manufacturers in China, their factories, they don't run on solar panels. They don't run off of wind energy. They are not powered by fairy dust or unicorn urine, nor do the ships that have to bring the dishwashers from China to the American consumer. They all run off fossil fuels. Some of these manufacturers in China that our Department of Energy is giving business to run off coal.

Now, look, I care about our planet, and I know you do, too, Mr. President. I want clean air. I want bright water. We all do. But this new proposed rule by the Department of Energy is not going to help anything or anybody. It is only going to make the American people have to spend more money on less efficient machines. The costs dramatically outweigh the benefit. It is going to make most of them either stop using their dishwasher or use it twice, using twice as much water or energy, or frustrate them to the point that they are going to say, hey, I will just wash the dishes by hand, using three times the amount of water.

And it is not just dishwashers. If it were just dishwashers, I would chalk this up to, well, we have got some regulators that we need to talk to and rein in. There are other things on this looney list. In the past few months, the Biden administration has proposed new regulations for electric motors, for beverage vending machines, for microwaves, for ovens, for refrigerators, for furnaces, for air-conditioners, for light bulbs. Get ready. In fact, the Biden administration added more than 110 regulations since it has been in office on appliances and equipment during 2 years.

Most of these policies, if you weigh the cost and the benefits, make no sense—not in terms of CO₂ emissions, not in terms of energy savings, not in terms of water savings, and certainly not in terms of the pocketbook of the American people. They are sops to the woke wing of the Democratic Party—not all Democrats. I am not going to paint with a broad brush here. Not all of them.

But there are some members of the Democratic Party who think that we will all be better off if we had a rule for everything, and they think the American people are not capable of running their own lives. These new regulations will do little, if anything, to help the planet. But they do harm regular Americans—the Americans who get up every day, go to work, obey the law,

pay their taxes, try to do the right thing by their children, and try to save a little money for retirement. That is whom these new regulations are going to hurt. All these folks want is for their dishwashers to work. They want to spend less time on dishes because they want to spend time with their families. They don't want to have to hand wash the dishes every night. That is what they bought a dishwasher for.

Now, surely, the regulators who are proposing this know that, and that is why they are going to downplay—they already are—the dishwasher regulations. It is why they are going to act confused when Americans wonder if the Federal Government is coming to unhook their gas stoves next.

We have heard officials from the Biden administration say: If you like your gas stove, you can keep your gas stove. Not true. I am sorry; it is just not true. This administration is willing to regulate and try to control every aspect of American life. There are people in this administration who believe that. Why? To avoid empty criticism from the looney left—the looney left, which often ignores science and always insists on more control.

Don't listen to what politicians do or say. Don't. Never listen to what a politician says. You can listen to them, but you have got to compare it to what they do. What you do is what you believe; everything else is just cottage cheese.

President Biden and his administration are saddling Americans with harmful—maybe even hateful—regulations because they care more about what the activists say on TikTok than they do about the quiet suffering of everyday families in America all over this country.

They have a blind spot for the lives and concerns of ordinary Americans, and it is why this administration is more worried about dishwashers and gas stoves than the fact that the average Louisiana family is paying \$740 more a month—not a year—because of inflation. It is why they will kill American jobs, while continuing to buy solar panels and new dishwashers from the polluters in China. It is why they will give rich people tax credits to buy electric cars. How many poor people do you know driving electric cars? It is why they will give rich people tax credits to buy electric cars while people in rural areas in rural America struggle to pay for a full tank of gas and can't even dream of buying a used car because the used cars cost 30 percent more since President Biden took office.

All this is virtue signaling. To some, it may be it amusing, but it is not free. There is no free lunch, and you don't get one now. It costs money—money that Americans don't have—and it causes them pain that they don't deserve, Mr. President.

The new rule on dishwashers isn't yet settled. There is still time for my colleagues at the Department of Energy to scrap this rule and walk away from

this fallacious nonsense, and I hope that they will.

I suggest the absence of a quorum. The PRESIDING OFFICER (Mr. SCHATZ). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

SOUTHERN BORDER

Mr. CORNYN. Mr. President, I wanted to come to the Senate floor this afternoon to talk about a scandal of incredible proportion.

Since President Biden became President of the United States, 300,000 unaccompanied children have been encountered at the border and then placed with sponsors inside the interior of the United States—300,000.

Ordinarily, there would be a process by which Health and Human Services would attempt to contact those minor children, in the custody of those sponsors, for a wellness check 30 days after they were placed with them. The New York Times has documented that at least 85,000 of those 300,000 children cannot even be reached—no response to the phone call or any other outreach.

So under the Biden administration's policies, an untold number of minor children have been placed with sponsors in the interior of the United States, and the Biden administration can't tell you where they are; the administration can't tell you what their condition is, whether they are being sent to school, whether they are being recruited into gangs, whether they are being sexually or otherwise physically assaulted, or whether they are being neglected. They simply don't know.

Now, I know it takes a lot to get people's attention these days because there is so much competing for our attention—so many different types of outrage. But the fact that this hasn't been front page news for a long time now or hasn't motivated the Biden administration to actually do anything to change this situation leads me to the conclusion that President Biden simply doesn't care. He doesn't care. He doesn't care what happens to these children. If he did care, he would do something about it, but he doesn't, apparently, care.

These are some of the most vulnerable individuals encountered at the border. They come to the United States, not in the care of their parents, but in the care of transnational criminal organizations, the cartels—the coyotes, as they are called—who treat them like a commodity. They don't treat them like a human being. They treat them like a commodity because the only thing these cartels care about is cold, hard cash.

This is a huge cash cow. And it is not just the children. It is the other 5 million migrants encountered at the border, as well. All of them pay these criminal organizations to transport them here to the United States.

I mentioned previously that when I went to Yuma, AZ, with a bipartisan group of Senators, that Border Patrol sector chief greeted us by saying: Welcome to the Yuma Sector. It is a sleepy little agricultural community.

He said: We encounter people from 176 countries, speaking 200 languages.

So people are literally being transported around the world to show up at our border and claim a right to be admitted, and the Biden administration continues to roll out the welcome mat and not deter illegal immigration by people who cannot qualify, whom we know will not qualify for any legal relief.

The children, particularly, endure a dangerous and long journey to our country, and they are often exploited en route. We heard from one of the witnesses in the Judiciary Committee yesterday about them being particularly vulnerable to sex trafficking, but we know they are subjected to violence and other forms of exploitation as well.

You would hope that once these children arrive at the border, they would be safe. I think that is our obligation, to make sure they are safe.

But over the last few years, we have seen mounting evidence that shows that tens of thousands of these migrant children who show up at our border without a parent or legal guardian are placed with sponsors and are essentially lost by the administration. Again, they don't know where they are. They don't know what is happening to them.

And, of course, we all should be concerned that they are being taken advantage of in a multitude of ways and being damaged in ways that we don't want to even imagine.

In August 2021, Bloomberg reported that Federal law enforcement was investigating unaccompanied migrant children who had been released to labor traffickers. This is kind of like modern-day slavery. The reporting uncovered situations where dozens of children were released to the same sponsor—dozens of children to the same person. You think that would have raised some questions, and maybe they tap the brake a little bit and investigate further—apparently not, because this same individual then exploited them for labor in poultry processing facilities. It is impossible for me to understand why the administration wouldn't see the warning signs.

About a year later, Reuters reported on another deeply concerning discovery. Federal and local officials were struggling to locate a dozen migrant children in Houston. They simply lost them. The Health and Human Services refugee office conducted an emergency review and found that 57 migrant children had been reported missing in Houston since the year prior—lost by the Biden administration.

As bad as those two reports are, the story does not get any better. Recent reporting by the New York Times has