

Senate the pending cloture motion, which the clerk will state.

The senior assistant executive 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 Executive Calendar No. 3, S. Res. 520, an executive resolution authorizing the en bloc consideration in Executive Session of certain nominations on the Executive Calendar.

John Thune, John Barrasso, Tim Sheehy, Mike Rounds, Pete Ricketts, Roger F. Wicker, Steve Daines, Todd Young, Mike Crapo, Tim Scott of South Carolina, Bernie Moreno, Markwayne Mullin, John R. Curtis, Marsha Blackburn, Tom Cotton, David McCormick, Ted Budd.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on S. Res. 520, an executive resolution authorizing the en bloc consideration in Executive Session of certain nominations on the Executive Calendar, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. BARRASSO. The following Senators are necessarily absent: the Senator from Indiana (Mr. BANKS), the Senator from Louisiana (Mr. CASSIDY), the Senator from Texas (Mr. CRUZ), the Senator from South Carolina (Mr. GRAHAM), the Senator from Kentucky (Mr. MCCONNELL), the Senator from Pennsylvania (Mr. MCCORMICK), the Senator from Florida (Mrs. MOODY), the Senator from Kansas (Mr. MORAN), the Senator from South Carolina (Mr. SCOTT), and the Senator from Alabama (Mr. TUBERVILLE).

Further, if present and voting: the Senator from South Carolina (Mr. GRAHAM) would have voted "yea."

Mr. DURBIN. I announce that the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Arizona (Mr. GALLEGO), the Senator from Arizona (Mr. KELLY), the Senator from Maine (Mr. KING), the Senator from Connecticut (Mr. MURPHY), the Senator from Georgia (Mr. OSSOFF), the Senator from Vermont (Mr. SANDERS), the Senator from California (Mr. SCHIFF), the Senator from New Hampshire (Mrs. SHAHEEN), and the Senator from Michigan (Ms. SLOTKIN) are necessarily absent.

The yeas and nays resulted—yeas 43, nays 37, as follows:

[Rollcall Vote No. 633 Ex.]

YEAS—43

Barrasso	Crapo	Hyde-Smith
Blackburn	Curtis	Johnson
Boozman	Daines	Justice
Britt	Ernst	Kennedy
Budd	Fischer	Lankford
Capito	Grassley	Lee
Collins	Hagerty	Lummis
Cornyn	Hawley	Marshall
Cotton	Hoeven	Moreno
Cramer	Husted	Mullin

Murkowski
Paul
Ricketts
Risch
Rounds

Schmitt
Scott (FL)
Sheehy
Sullivan
Thune

Tillis
Wicker
Young

NAYS—37

Alsobrooks
Baldwin
Bennet
Blunt Rochester
Booker
Cantwell
Coons
Cortez Masto
Duckworth
Durbin
Fetterman
Gillibrand
Hassan

Heinrich
Hickenlooper
Hirono
Kaine
Kim
Klobuchar
Lujan
Markey
Merkley
Murray
Padilla
Peters
Reed

Rosen
Schatz
Schumer
Smith
Van Hollen
Warner
Warnock
Warren
Welch
Whitehouse
Wyden

NOT VOTING—20

Banks
Blumenthal
Cassidy
Cruz
Gallego
Graham
Kelly

King
McConnell
McCormick
Moody
Moran
Murphy
Ossoff

Sanders
Schiff
Scott (SC)
Shaheen
Slotkin
Tuberville

The PRESIDING OFFICER (Mr. MORENO). On this vote, the yeas are 43, the nays are 37. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is not agreed to.

The motion was rejected.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the Rodriguez nomination.

The bill clerk read the nomination of Susan Courtwright Rodriguez, of North Carolina, to be United States District Judge for the Western District of North Carolina.

VOTE ON RODRIGUEZ NOMINATION

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

Mr. TILLIS. Mr. President, 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 bill clerk called the roll.

Mr. BARRASSO. The following Senators are necessarily absent: the Senator from Montana (Mr. DAINES), the Senator from South Carolina (Mr. GRAHAM), the Senator from Mississippi (Mrs. HYDE-SMITH), the Senator from Louisiana (Mr. KENNEDY), the Senator from Florida (Mrs. MOODY), the Senator from Kansas (Mr. MORAN), and the Senator from Alabama (Mr. TUBERVILLE).

Further, if present and voting: the Senator from South Carolina (Mr. GRAHAM) would have voted "yea."

Mr. DURBIN. I announce that the Senator from Connecticut (Mr. MURPHY), the Senator from California (Mr. SCHIFF), the Senator from New Hampshire (Mrs. SHAHEEN), and the Senator from Rhode Island (Mr. WHITEHOUSE) are necessarily absent.

The result was announced—yeas 57, nays 32, as follows:

[Rollcall Vote No. 634 Ex.]

YEAS—57

Banks
Barrasso
Blackburn
Boozman
Britt
Budd
Capito
Cassidy
Collins
Coons
Cornyn
Cotton
Cramer
Cruz
Curtis
Durbin
Ernst
Fischer

Gallego
Grassley
Hagerty
Hassan
Hawley
Hirono
Hoeven
Husted
Johnson
Justice
Kaine
Kelly
King
Klobuchar
Lankford
Lee
Lummis
Marshall
McConnell

McCormick
Moreno
Mullin
Murkowski
Paul
Reed
Ricketts
Risch
Rosen
Rounds
Schmitt
Scott (FL)
Scott (SC)
Sheehy
Sullivan
Thune
Tillis
Wicker
Young

NAYS—32

Alsobrooks
Baldwin
Bennet
Blumenthal
Blunt Rochester
Booker
Cantwell
Cortez Masto
Duckworth
Fetterman
Gillibrand

Heinrich
Hickenlooper
Kim
Lujan
Markey
Merkley
Murray
Ossoff
Padilla
Peters
Sanders

Schatz
Schumer
Slotkin
Smith
Van Hollen
Warner
Warnock
Warren
Welch
Wyden

NOT VOTING—11

Daines
Graham
Hyde-Smith
Kennedy

Moody
Moran
Murphy
Schiff

Shaheen
Tuberville
Whitehouse

The nomination was confirmed.

The PRESIDING OFFICER (Mr. TILLIS). 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 Texas.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. CORNYN. I ask unanimous consent that the Senate proceed to legislative session and be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

CHINA

Mr. CORNYN. Mr. President, we have a little over 2 weeks before the Christmas recess, and we still have a lot of work to do here in the U.S. Senate, including passing a fully conferenced National Defense Authorization Act bill—by that, I mean reconcile the differences between the House version and the Senate version and get it to the President for his signature. There are many different players across both the House and the Senate, and they have to come together to make this happen.

Of course, we all have different priorities, but our main priority ought to be the welfare and the training and the equipment of our men and women in the military and their ability to protect all of us. But we can't forget about the real-world consequences of the

policies we are legislating. It matters, what ends up in and what ends up out of this bill at the end of the day. With something like the annual Defense bill, these decisions can have life-or-death consequences.

So as the National Defense Authorization Act comes to a close, I have been pushing to ensure that several provisions, including addressing outbound investment transparency, are included in the final legislation.

It is no secret to any of us that China is our near-peer competitor, and they don't have benign intentions with regard to the United States. They want to dominate the United States economically and militarily.

President Xi, the head of the People's Republic of China, and the Chinese Communist Party have threatened time after time after time to forcibly attack Taiwan and to consolidate Taiwan with mainland China.

We also know that the battle for the future of the world will literally be determined by who wins the race for artificial intelligence, which is heavily reliant on the production of advanced semiconductors and other advanced microelectronics.

These technologies—and this is really important—have both commercial and military applications, but in China, anything that is developed or possessed by a commercial entity has to be shared with the Chinese Communist Party and the People's Liberation Army. They call that military-civil fusion. So it means that any progress that they make, including on something as sophisticated and cutting edge as artificial intelligence, has to be shared and will be shared with their military.

On Tuesday, the Senate Foreign Relations Committee Subcommittee on East Asia, the Pacific, and International Cybersecurity Policy held a hearing on China's challenge to America's leadership when it comes to artificial intelligence. We heard expert testimony from four witnesses on the challenges that the United States faces in staying ahead of China in this critical sector.

Each of these witnesses emphasized the importance of export controls, controlling what technology goes from the United States into China, where they can then use that to compete with us and potentially even beat us in the AI race.

One quoted a senior executive at a Chinese AI firm, who said that Chinese companies have to use two to four times the computing power to achieve the same results for large model training because of U.S. restrictions on AI chips. Now, this is a good thing; however, export controls, while an effective tool, are not simple or straightforward, and the Chinese Government is really good—like the Russians—at circumventing sanctions and different restrictions—in this case, on cutting-edge technology.

The United States must take care to ensure that our export controls are

properly enforced as PRC shell companies have ways of working around these trade controls in order to acquire American semiconductors and other controlled products. Unfortunately, sometimes it seems like a game of Whac-A-Mole because one company will pop its head up, and we will deal with that, but then they change the name, and it is the same thing under a different name.

It is not just the chips themselves that we have to keep a tight grip on but the machinery we use to make them. Many of the intermediary parts, such as lithography machines, are produced by our allies, like the Dutch ASML, which makes the leading-edge, advanced, ultraviolet lithography that is necessary to produce the most advanced semiconductor chips, but other countries, like South Korea, Japan, and Germany, are also part of that supply chain of critical equipment and machinery. Working and winning the AI race means we have to work hand in glove with our allies to ensure that these technologies are not acquired by the PRC, and we know the stakes if we don't accomplish that job.

In the same way that China has captured the supply chain for the production of processing critical minerals, they have designs to capture the manufacturing capacity for advanced semiconductors. Then they will do what they have always done, which is undercut worldwide competitors with government subsidies and then corner the market so that they become the only supplier, holding the rest of the world hostage.

Of course, there is the fact that China has never seen a piece of intellectual property that they aren't willing to steal, so by hook or crook, they are going to try to outcompete us, and we need to maintain our diligence and be vigilant when it comes to this threat.

China is aggressively investing resources towards winning this race for artificial intelligence, and we cannot aid them in winning the race through U.S. investments in China. That is where this piece of legislation called outbound investment transparency comes in.

One of the ways that China has built its mammoth manufacturing capacity is when American companies go into China and massively invest in manufacturing capabilities there. There is plenty that has been written on this topic. Apple, Tesla, and other major companies have gone into China because of the lower cost of manufacturing, and the Chinese, unsurprisingly, have learned these manufacturing processes to now where they have become some of the very best in the world. But we have to make sure at minimum that we aren't blindly watching American investments into China in technology that could later be used to kill American marines or American soldiers in a future conflict in the Indo-Pacific.

Some estimates show that as of 2020, a total of U.S. investments in Chinese companies totaled \$2.3 trillion. Now, that is a lot of money, and if it wasn't available to the Chinese economy and Chinese manufacturing, it would make it harder for them to compete against us. This \$2.3 trillion in market value includes \$21 billion in semiconductor investment, \$54 billion in military companies—U.S. companies investing in Chinese military companies to the tune of \$54 billion—and \$221 billion in artificial intelligence.

Again, because of China's military-civil fusion policy, we are not just investing in commercial applications of these technologies; every American dollar that is invested in these critical sectors in China is directly fueling the arsenal of our greatest strategic adversary.

Let me say that again. Every dollar that Americans invest in China in these critical sectors is directly fueling the arsenal of our greatest strategic adversary.

It is suicidal for the United States to see American dollars flow to China for the development of military technologies that very well could be used one day to kill American soldiers.

This is not a priority we can afford to kick down the road. Anyone who dismisses the threat of outbound investment is blind—blind—to the threat of the Chinese Communist Party and, I would argue, is working against the best interests of this country.

I have been working for years to try to make sure that we have this provision in the Defense authorization bill. We had one vote I think 3 years ago on a defense authorization bill; it was 92 to 6. So this is a bipartisan concern, as it should be, but for one reason or another, every time a bill comes across from the House through a conference, this provision seems to drop out, and that is because, frankly, of some of the people who financially benefit from the status quo and who do not want us to have, as policymakers, any transparency into Americans who invest in China to help them defeat us, whether militarily or in the race for AI.

(Mr. MORENO assumed the Chair.)

So I am glad that, at this point in the negotiations, the House and the Senate are prioritizing this provision in the final version of this year's NDAA. If we do not address outbound investment transparency, then we are playing to lose the AI race and risk the lives of American servicemembers and a potential conflict in the Indo-Pacific.

The time to act was yesterday, but the next best time to act is today. This fight to address outbound investment transparency has been going on for many years, but I look forward to finally declaring victory when President Trump signs the National Defense Authorization Act into law, which I hope is very soon.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BANKS). 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.

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. 571.

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 Robert P. Chamberlin, of Mississippi, to be United States District Judge for the Northern District of Mississippi.

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. 571, Robert P. Chamberlin, of Mississippi, to be United States District Judge for the Northern District of Mississippi.

John Thune, Katie Boyd Britt, Tommy Tuberville, Tim Sheehy, Jon A. Husted, Joni Ernst, Shelley Moore Capito, Cindy Hyde-Smith, Mike Rounds, Bernie Moreno, Jim Justice, Pete Ricketts, John Barrasso, Ted Budd, Eric Schmitt, Ashley B. Moody, Tom Cotton.

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. 572.

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 William J. Crain, of Louisiana, to be United States District Judge for the Eastern District of Louisiana.

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. 572, William J. Crain, of Louisiana, to be United States District Judge for the Eastern District of Louisiana.

John Thune, Katie Boyd Britt, Tommy Tuberville, Tim Sheehy, Jon A. Husted, Joni Ernst, Shelley Moore Capito, Cindy Hyde-Smith, Mike Rounds, Bernie Moreno, Jim Justice, Pete Ricketts, John Barrasso, Ted Budd, Eric Schmitt, Ashley B. Moody, Tom Cotton.

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. 573.

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 James D. Maxwell II, of Mississippi, to be United States District Judge for the Northern District of Mississippi.

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. 573, James D. Maxwell II, of Mississippi, to be United States District Judge for the Northern District of Mississippi.

John Thune, Katie Boyd Britt, Tommy Tuberville, Tim Sheehy, Jon A. Husted, Joni Ernst, Shelley Moore Capito, Cindy Hyde-Smith, Mike Rounds, Bernie Moreno, Jim Justice, Pete Ricketts, John Barrasso, Ted Budd, Eric Schmitt, Ashley B. Moody, Tom Cotton.

LEGISLATIVE SESSION

Mr. THUNE. Mr. President, I ask unanimous consent that the Senate resume legislative session.

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

EXECUTIVE SESSION

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

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

MEASURE PLACED ON THE CALENDAR—S. RES. 532

Mr. THUNE. Mr. President, I send an executive resolution to the desk for consideration of certain nominations en bloc and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the title of the resolution for the information of the Senate.

The senior assistant legislative clerk read as follows:

An executive resolution (S. Res. 532) authorizing the en bloc consideration in Executive Session of certain nominations on the Executive Calendar.

Mr. THUNE. In order to place the executive resolution on the calendar, I object to my own request.

The PRESIDING OFFICER. Objection having been heard, the executive resolution will lie over 1 day.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. THUNE. Mr. President, I ask unanimous consent that the Senate resume legislative session and be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

VOTE EXPLANATION

Mr. BOOZMAN. Mr. President, had I been present and voting on rollcall No. 628, motion to invoke cloture on Executive Calendar No. 474, Matthew E. Orso, of North Carolina, to be United States District Judge for the Western District of North Carolina. I would have voted yea.

S.J. RES. 91 AND H.J. RES. 131

Ms. MURKOWSKI. Mr. President, I ask unanimous consent to have printed