

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S273–S332

Measures Introduced: Eighty-two bills and twenty resolutions were introduced, as follows: S. 308–389, S.J. Res. 11–13, and S. Res. 38–54. **Pages S310–14**

Measures Reported:

S. Res. 38, authorizing expenditures by the Committee on Armed Services.

S. Res. 39, authorizing expenses by the Committee on Veterans' Affairs.

S. Res. 40, authorizing expenditures by the Select Committee on Intelligence.

S. Res. 41, authorizing expenditures by the Committee on Indian Affairs.

S. Res. 42, authorizing expenditures by the Committee on Health, Education, Labor, and Pensions.

S. Res. 43, authorizing expenditures by the Committee on Homeland Security and Governmental Affairs.

S. Res. 44, authorizing expenditures by the Committee on Energy and Natural Resources.

S. Res. 47, authorizing expenditures by the Committee on Banking, Housing, and Urban Affairs.

S. Res. 48, authorizing expenditures by the Committee on Agriculture, Nutrition, and Forestry.

S. Res. 50, authorizing expenditures by the Committee on Finance.

S. Res. 51, authorizing expenditures by the Committee on Commerce, Science, and Transportation.

S. Res. 52, authorizing expenditures by the Committee on the Budget. **Pages S309–10**

Appointments:

Commission on Reform and Modernization of the Department of State: The Chair, on behalf of the Majority Leader, pursuant to Public Law 117–263, announced the appointment of the following individual to serve as a member of the Commission on Reform and Modernization of the Department of State: Senator Cardin. **Page S332**

Commission on Security and Cooperation in Europe (Helsinki Commission): The Chair, on behalf of the Vice President, pursuant to Public Law 94–304, as amended by Public Law 99–7, appointed

the following Senator as a member of the Commission on Security and Cooperation in Europe (Helsinki Commission) during the 118th Congress: Senator Cardin (and designate him Co-Chairman).

Page S332

Joint Committee on Taxation: The Chair, announced on behalf of the Committee on Finance, pursuant to section 8002 of title 26, U.S. Code, the designation of the following Senators as members of the Joint Committee on Taxation: Senators Wyden, Stabenow, Cantwell, Crapo, and Grassley. **Page S332**

Chung Nomination—Agreement: Senate resumed consideration of the nomination of Cindy K. Chung, of Pennsylvania, to be United States Circuit Judge for the Third Circuit. **Pages S276, S278–88**

During consideration of this nomination today, Senate also took the following action:

By 52 yeas to 46 nays (Vote No. EX. 8), Senate agreed to the motion to close further debate on the nomination. **Pages S278–88**

A unanimous-consent agreement was reached providing that all post-cloture time on the nomination be considered expired; that at 5:30 p.m., on Monday, February 13, 2023, Senate vote on confirmation of the nomination; and that the motion to invoke cloture with respect to the nomination of Gina R. Mendez-Miro, of Puerto Rico, to be United States District Judge for the District of Puerto Rico, ripen following the disposition of the nomination of Cindy K. Chung. **Page S288**

A unanimous-consent agreement was reached providing that at approximately 3 p.m., on Monday, February 13, 2023, Senate resume consideration of the nomination of Gina R. Mendez-Miro, of Puerto Rico, to be United States District Judge for the District of Puerto Rico. **Page S332**

Jenkins Nomination—Cloture: Senate began consideration of the nomination of Lindsay C. Jenkins, of Illinois, to be United States District Judge for the Northern District of Illinois. **Pages S277–78**

A motion was entered to close further debate on the nomination, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur upon disposition

of the nomination of Cindy K. Chung, of Pennsylvania, to be United States Circuit Judge for the Third Circuit. **Pages S277–78**

Prior to the consideration of this nomination, Senate took the following action:

Senate agreed to the motion to proceed to Legislative Session. **Page S277**

Senate agreed to the motion to proceed to Executive Session to consider the nomination. **Pages S277–78**

Garcia Nomination—Cloture: Senate began consideration of the nomination of Matthew L. Garcia, of New Mexico, to be United States District Judge for the District of New Mexico. **Page S278**

A motion was entered to close further debate on the nomination, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur upon disposition of the nomination of Lindsay C. Jenkins, of Illinois, to be United States District Judge for the Northern District of Illinois. **Page S278**

Prior to the consideration of this nomination, Senate took the following action:

Senate agreed to the motion to proceed to Legislative Session. **Page S278**

Senate agreed to the motion to proceed to Executive Session to consider the nomination. **Page S278**

Nelson Nomination—Cloture: Senate began consideration of the nomination of Adrienne C. Nelson, of Oregon, to be United States District Judge for the District of Oregon. **Page S278**

A motion was entered to close further debate on the nomination, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur upon disposition of the nomination of Matthew L. Garcia, of New Mexico, to be United States District Judge for the District of New Mexico. **Page S278**

Prior to the consideration of this nomination, Senate took the following action:

Senate agreed to the motion to proceed to Legislative Session. **Page S278**

Senate agreed to the motion to proceed to Executive Session to consider the nomination. **Page S278**

Nomination Confirmed: Senate confirmed the following nomination:

By 53 yeas to 44 nays (Vote No. EX. 7), DeAndrea Gist Benjamin, of South Carolina, to be United States Circuit Judge for the Fourth Circuit. **Pages S273–75**

Messages from the House: **Page S307**

Measures Placed on the Calendar: **Page S307**

Measures Read the First Time: **Pages S307, S322**

Executive Communications: **Pages S307–09**

Executive Reports of Committees: **Page S310**

Additional Cosponsors: **Page S314**

Statements on Introduced Bills/Resolutions: **Pages S314–31**

Additional Statements: **Page S307**

Authorities for Committees to Meet: **Pages S331–32**

Record Votes: Two record votes were taken today. (Total—8) **Pages S275, S278**

Adjournment: Senate convened at 10 a.m. and adjourned at 4:29 p.m., until 3 p.m. on Monday, February 13, 2023. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S332.)

Committee Meetings

(Committees not listed did not meet)

2023 FARM BILL

Committee on Agriculture, Nutrition, and Forestry: Committee concluded a hearing to examine the 2023 Farm Bill, focusing on commodity programs, crop insurance, and credit, after receiving testimony from Robert Bonnie, Under Secretary for Farm Production and Conservation, Marcia Bunger, Administrator, Risk Management Agency, and Zach Ducheneaux, Administrator, Farm Service Agency, all of the Department of Agriculture.

BUSINESS MEETING

Committee on Agriculture: Committee ordered favorably reported an original resolution authorizing expenditures by the committee, and adopted its rules of procedure for the 118th Congress.

HIGH ALTITUDE SURVEILLANCE

Committee on Appropriations: Subcommittee on Defense received a briefing on the People's Republic of China's high altitude surveillance efforts against the United States from Melissa Dalton, Assistant Secretary for Homeland Defense and Hemispheric Affairs, Jedidiah Royal, Principal Deputy Assistant Secretary for Indo-Pacific Security Affairs, Lieutenant General Douglas Sims II, Director for Operations, Joint Staff J3, and Vice Admiral Sara Joyner, Director of Force Structure, Resources and Assessments, Joint Staff J8, all of the Department of Defense.

BUSINESS MEETING

Committee on Armed Services: Committee ordered favorably reported the following business items:

An original resolution authorizing expenditures by the committee; and

The nominations of Radha Iyengar Plumb, of New York, to be a Deputy Under Secretary, and Laura Taylor-Kale, of California, to be an Assistant Secretary, both of the Department of Defense.

Also, Committee adopted its rules of procedure for the 118th Congress, and announced the following subcommittee assignments:

Subcommittee on Airland: Senators Kelly (Chair), Blumenthal, King, Peters, Manchin, Duckworth, Cotton, Fischer, Ernst, Scott (FL), and Mullin.

Subcommittee on Cybersecurity: Senators Manchin (Chair), Gillibrand, Peters, Duckworth, Rosen, Rounds, Ernst, Budd, and Schmitt.

Subcommittee on Emerging Threats and Capabilities: Senators Gillibrand (Chair), Shaheen, Warren, Peters, Rosen, Kelly, Ernst, Cotton, Mullin, Budd, and Schmitt.

Subcommittee on Personnel: Senators Warren (Chair), Blumenthal, Hirono, Kaine, Duckworth, Scott (FL), Rounds, Sullivan, and Budd.

Subcommittee on Readiness and Management Support: Senators Hirono (Chair), Shaheen, Blumenthal, Kaine, Duckworth, Kelly, Sullivan, Fischer, Cramer, Tuberville, and Mullin.

Subcommittee on Seapower: Senators Kaine (Chair), Shaheen, Blumenthal, Hirono, King, Peters, Cramer, Sullivan, Scott (FL), Tuberville, and Schmitt.

Subcommittee on Strategic Forces: Senators King (Chair), Gillibrand, Warren, Manchin, Rosen, Kelly, Fischer, Cotton, Rounds, Cramer, and Tuberville.

Senators Reed and Wicker are ex officio members of each subcommittee.

BUSINESS MEETING

Committee on Banking, Housing, and Urban Affairs: Committee ordered favorably reported an original resolution authorizing expenditures by the committee, and adopted its rules of procedure for the 118th Congress.

Also, Committee announced the following subcommittee assignments:

Subcommittee on Securities, Insurance, and Investment: Senators Menendez (Chair), Reed, Tester, Warner, Warren, Sinema, Warnock, Rounds, Crapo, Tillis, Kennedy, Hagerty, Vance.

Subcommittee on National Security and International Trade and Finance: Senators Warner (Chair), Tester, Van Hollen, Cortez Masto, Sinema, Hagerty, Britt, Cramer, and Daines.

Subcommittee on Economic Policy: Senators Warren (Chair), Reed, Menendez, Van Hollen, Smith, Fetterman, Kennedy, Rounds, Tillis, Lummis, and Daines.

Subcommittee on Housing, Transportation, and Community Development: Senators Smith (Chair), Reed, Menendez, Tester, Cortez Masto, Sinema, Warnock, Fetterman, Lummis, Crapo, Rounds, Kennedy, Hagerty, Vance, and Britt.

Subcommittee on Financial Institutions and Consumer Protection: Senators Warnock (Chair), Warner, Warren, Van Hollen, Cortez Masto, Smith, Fetterman, Tillis, Crapo, Lummis, Vance, Britt, and Cramer.

Senators Brown and Scott (SC) are ex officio members of each subcommittee.

HOUSING IN 2023

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine the state of housing in 2023, after receiving testimony from Christopher Herbert, Harvard Joint Center for Housing Studies, Cambridge, Massachusetts; and Robert Dietz, National Association of Home Builders, and Lance George, Housing Assistance Council, both of Washington, D.C.

BUSINESS MEETING

Committee on the Budget: Committee ordered favorably reported an original resolution authorizing expenditures by the Committee, and adopted its rules of procedure for the 118th Congress.

BUSINESS MEETING

Committee on Commerce, Science, and Transportation: Committee ordered favorably reported an original resolution authorizing expenditures by the committee, and adopted its rules of procedure for the 118th Congress.

AIRLINE OPERATIONS AND CONSUMER PROTECTIONS

Committee on Commerce: Committee concluded a hearing to examine strengthening airline operations and consumer protections, after receiving testimony from Andrew Watterson, Southwest Airlines Co., and Captain Casey Murray, Southwest Airlines Pilots Association, both of Dallas, Texas; Paul Hudson, FlyersRights, Sarasota, Florida; and Sharon Pinkerton, Airlines for America, and Clifford Winston, The Brookings Institution, both of Washington, D.C.

BUSINESS MEETING

Committee on Energy and Natural Resources: Committee ordered favorably reported an original resolution authorizing expenditures by the committee, and adopted its rules of procedure for the 118th Congress.

U.S. TERRITORIES

Committee on Energy and Natural Resources: Committee concluded a hearing to examine the state of the United States Territories, after receiving testimony from United States Virgin Islands Governor Albert Bryan Jr., Charlotte Amalie; Guam Governor Lou Leon Guerrero, Hagatna; American Samoa Governor Lemanu P.S. Mauga, Pago Pago; Commonwealth of the Northern Mariana Islands Governor Arnold I. Palacios, Saipan; and Puerto Rico Governor Pedro R. Pierluisi, San Juan.

BUSINESS MEETING

Committee on Finance: Committee ordered favorably reported an original resolution authorizing expenditures by the Committee, adopted its rules of procedure for the 118th Congress, and designated members to serve on the Joint Committee on Taxation and members to serve as Congressional Trade Advisors on Trade Policy and Negotiations.

Also, Committee announced the following subcommittee assignments for the 118th Congress:

Subcommittee on Energy, Natural Resources, and Infrastructure: Senators Stabenow (Chair), Wyden, Carper, Bennet, Whitehouse, Cortez Masto, Lankford, Cornyn, Scott (SC), Daines, and Barrasso.

Subcommittee on International Trade, Customs, and Global Competitiveness: Senators Carper (Chair), Wyden, Stabenow, Menendez, Cardin, Brown, Bennet, Casey, Warner, Cortez Masto, Cornyn, Thune, Scott (SC), Cassidy, Daines, Young, Barrasso, Johnson, and Tillis.

Subcommittee on Health Care: Senators Cardin (Chair), Wyden, Stabenow, Menendez, Carper, Casey, Warner, Whitehouse, Hassan, Cortez Masto, Warren, Daines, Grassley, Thune, Scott (SC), Cassidy, Lankford, Young, Barrasso, Johnson, and Blackburn.

Subcommittee on Social Security, Pensions, and Family Policy: Senators Brown (Chair), Wyden, Casey, Hassan, Warren, Tillis, Cassidy, Young, and Blackburn.

Subcommittee on Taxation and IRS Oversight: Senators Bennet (Chair), Wyden, Menendez, Cardin, Warner, Whitehouse, Warren, Thune, Grassley, Cornyn, Lankford, Johnson, and Blackburn.

Subcommittee on Fiscal Responsibility and Economic Growth: Senators Hassan (Chair), Wyden, and Grassley.

Senators Wyden and Crapo are ex officio members of each subcommittee.

U.S.-CHINA POLICY

Committee on Foreign Relations: Committee concluded a hearing to examine U.S.-China policy in the era of strategic competition, after receiving testimony from Wendy Sherman, Deputy Secretary of State; and Ely S. Ratner, Assistant Secretary of Defense for Indo-Pacific Security Affairs.

BUSINESS MEETING

Committee on Homeland Security and Governmental Affairs: Committee ordered favorably reported an original resolution authorizing expenditures by the Committee, and adopted its rules of procedure for the 118th Congress.

Also, Committee announced the following subcommittee assignments for the 118th Congress:

Permanent Subcommittee on Investigations: Senators Blumenthal (Chair), Carper, Hassan, Padilla, Ossoff, Johnson, Scott (FL), Hawley, and Marshall.

Subcommittee on Emerging Threats and Spending Oversight: Senators Hassan (Chair), Sinema, Rosen, Ossoff, Romney, Lankford, and Scott (FL).

Subcommittee on Government Operations and Border Management: Senators Sinema (Chair), Carper, Padilla, Blumenthal, Lankford, Johnson, and Romney.

Senators Peters and Paul are ex-officio members of each subcommittee.

BUSINESS MEETING

Committee on Health, Education, Labor, and Pensions: Committee ordered favorably reported an original resolution authorizing expenditures by the Committee, and adopted its rules of procedure for the 118th Congress.

BUSINESS MEETING

Committee on Indian Affairs: Committee elected Senator Schatz to be Chair and Senator Murkowski to be Vice Chair, ordered favorably reported an original resolution authorizing expenditures by the Committee, and adopted its rules of procedure for the 118th Congress.

BUSINESS MEETING

Committee on the Judiciary: Committee adopted its rules of procedure for the 118th Congress, and ordered favorably reported the following business items:

An original resolution authorizing expenditures by the committee for the 118th Congress;

S. 79, to amend title 35, United States Code, to establish an interagency task force between the United States Patent and Trademark Office and the Food and Drug Administration for purposes of sharing information and providing technical assistance with respect to patents;

S. 113, to require the Federal Trade Commission to study the role of intermediaries in the pharmaceutical supply chain and provide Congress with appropriate policy recommendations, with an amendment in the nature of a substitute;

S. 142, to prohibit brand name drug companies from compensating generic drug companies to delay the entry of a generic drug into the market, and to prohibit biological product manufacturers from compensating biosimilar and interchangeable companies to delay the entry of biosimilar biological products and interchangeable biological products, with an amendment in the nature of a substitute;

S. 148, to enable to Federal Trade Commission to deter filing of sham citizen petitions to cover an attempt to interfere with approval of a competing generic drug or biosimilar, to foster competition, and facilitate the efficient review of petitions filed in good faith to raise legitimate public health concerns, with an amendment in the nature of a substitute;

S. 150, to amend the Federal Trade Commission Act to prohibit product hopping; and

The nominations of Nancy G. Abudu, of Georgia, to be United States Circuit Judge for the Eleventh Circuit, Rachel Bloomekatz, of Ohio, to be United States Circuit Judge for the Sixth Circuit, Anthony Devos Johnstone, of Montana, to be United States Circuit Judge for the Ninth Circuit, Julie Rikelman, of Massachusetts, to be United States Circuit Judge for the First Circuit, Robert Stewart Ballou, to be United States District Judge for the Western District of Virginia, Nusrat Jahan Choudhury, Natasha C. Merle, and Ramon Ernesto Reyes, Jr., each to be United States District Judge for the Eastern District of New York, Jessica G. L. Clarke, Dale E. Ho, and Arun Subramanian, each to be a United States District Judge for the Southern District of New York, Todd E. Edelman, to be United States District Judge for the District of Columbia, Kymberly Kathryn Evanson, to be United States District Judge for the Western District of Washington, Gordon P. Gallagher, to be United States District Judge for the District of Colorado, Jonathan James Canada Grey, to be United States District Judge for the Eastern District of Michigan, Myong J. Joun, and Julia E. Kobick, both to be a United States District Judge

for the District of Massachusetts, Kenly Kiya Kato, and Hernan D. Vera, both to be a United States District Judge for the Central District of California, Colleen R. Lawless, to be United States District Judge for the Central District of Illinois, Rita F. Lin, and P. Casey Pitts, both to be a United States District Judge for the Northern District of California, Andrew G. Schopler, and James Edward Simmons, Jr., both to be a United States District Judge for the Southern District of California, and Jill E. Steinberg, to be United States Attorney for the Southern District of Georgia, Department of Justice.

BUSINESS MEETING

Committee on Veterans' Affairs: Committee ordered favorably reported an original resolution authorizing expenditures by the committee, and adopted its rules of procedure for the 118th Congress.

BUSINESS MEETING

Select Committee on Intelligence: Committee ordered favorably reported an original resolution authorizing expenditures by the Committee for the 118th Congress.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 91 public bills, H.R. 883–973; and 11 resolutions, H.J. Res. 32; H. Con. Res. 15; and H. Res. 112–120, were introduced.

Pages H821–26

Additional Cosponsors:

Pages H829–30

Reports Filed: There were no reports filed today.

Disapproving the action of the District of Columbia Council in approving the Local Resident Voting Rights Amendment Act of 2022: The House passed H.J. Res. 24, disapproving the action of the District of Columbia Council in approving the Local Resident Voting Rights Amendment Act of 2022, by a ye-and-nay vote of 260 yeas to 162 nays, Roll No. 118. Consideration began yesterday, February 8th.

Pages H799–H800

H. Res. 97, the rule providing for consideration of the bill (H.R. 185), and the joint resolutions (H.J. Res. 24) and (H.J. Res. 26) was agreed to Tuesday, February 7th.

Disapproving the action of the District of Columbia Council in approving the Revised Criminal Code Act of 2022: The House passed H.J. Res.

26, disapproving the action of the District of Columbia Council in approving the Revised Criminal Code Act of 2022, by a ye-and-nay vote of 250 yeas to 173 nays, Roll No. 119.

Pages H784–93, H800

H. Res. 97, the rule providing for consideration of the bill (H.R. 185), and the joint resolutions (H.J. Res. 24) and (H.J. Res. 26) was agreed to Tuesday, February 7th.

Suspensions: The House agreed to suspend the rules and pass the following measure:

Condemning the Chinese Communist Party's use of a high-altitude surveillance balloon over United States territory as a brazen violation of United States sovereignty: H. Res. 104, condemning the Chinese Communist Party's use of a high-altitude surveillance balloon over United States territory as a brazen violation of United States sovereignty, by a $\frac{2}{3}$ ye-and-nay vote of 419 yeas with none voting "nay", Roll No. 117.

Pages H794–99

Meeting Hour: Agreed by unanimous consent that when the House adjourns today, it adjourn to meet at 11 a.m. tomorrow, February 10th.

Page H800

Work Period Designation: Read a letter from the Speaker wherein he designated the period from Friday, February 10, 2023, through Friday, February 24, 2023, as a “district work period” under section 3(z) of House Resolution 5. **Page H800**

Quorum Calls—Votes: Three yea-and-nay votes developed during the proceedings of today and appear on pages H798–99, H799–H800, and H800.

Adjournment: The House met at 9 a.m. and adjourned at 12:56 p.m.

Committee Meetings

THE FUTURE OF WAR: IS THE PENTAGON PREPARED TO DETER AND DEFEAT AMERICA’S ADVERSARIES?

Committee on Armed Services: Subcommittee on Cyber, Information Technologies, and Innovation held a hearing entitled “The Future of War: Is the Pentagon Prepared to Deter and Defeat America’s Adversaries?”. Testimony was heard from public witnesses.

ORGANIZATIONAL MEETING

Committee on the Budget: Full Committee held an organizational meeting. The Committee adopted its rules for the 118th Congress. The Authorization and Oversight plan was adopted.

BUSINESS MEETING

Committee on Energy and Commerce: Full Committee held a business meeting on the Committee Authorization and Oversight Plan for the 118th Congress. The Authorization and Oversight Plan was adopted.

THE LOOKING AHEAD SERIES: THE ARCHITECT OF THE CAPITOL’S STRATEGIC PLAN FOR THE 118TH CONGRESS

Committee on House Administration: Full Committee held a hearing entitled “The Looking Ahead Series:

The Architect of the Capitol’s Strategic Plan for the 118th Congress”. Testimony was heard from J. Brett Blanton, Architect of the Capitol.

HEARING ON THE WEAPONIZATION OF THE FEDERAL GOVERNMENT

Committee on the Judiciary: Select Subcommittee on the Weaponization of the Federal Government held a hearing entitled “Hearing on the Weaponization of the Federal Government”. Testimony was heard from Former Member Gabbard, Senator Grassley, Senator Johnson, and Representative Raskin; and public witnesses.

DEPENDENCE ON FOREIGN ADVERSARIES: AMERICA’S CRITICAL MINERALS CRISIS

Committee on Natural Resources: Subcommittee on Oversight and Investigations held a hearing entitled “Dependence on Foreign Adversaries: America’s Critical Minerals Crisis”. Testimony was heard from public witnesses.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR FRIDAY, FEBRUARY 10, 2023

(Committee meetings are open unless otherwise indicated)

Senate

No meetings/hearings scheduled.

House

No hearings are scheduled.

Next Meeting of the SENATE

3 p.m., Monday, February 13

Next Meeting of the HOUSE OF REPRESENTATIVES

11 a.m., Friday, February 10

Senate Chamber

Program for Monday: Senate will resume consideration of the nomination of Gina R. Mendez-Miro, of Puerto Rico, to be United States District Judge for the District of Puerto Rico. At 5:30 p.m., Senate will vote on confirmation of the nomination of Cindy K. Chung, of Pennsylvania, to be United States Circuit Judge for the Third Circuit. Following disposition of the nomination of Cindy K. Chung, Senate will vote on the motion to invoke cloture on the nomination of Gina R. Mendez-Miro.

House Chamber

Program for Friday: House will meet in Pro Forma session at 11 a.m.

Extensions of Remarks, as inserted in this issue

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