

# Daily Digest

## HIGHLIGHTS

See Résumé of Congressional Activity.

## Senate

### Chamber Action

*Routine Proceedings, pages S539–S614*

**Measures Introduced:** Forty-six bills and five resolutions were introduced, as follows: S. 574–619, and S. Res. 86–90. **Pages S567–69**

#### Measures Reported:

Special Report entitled “Activities of the Committee on Homeland Security and Governmental Affairs during the 117th Congress”. (S. Rept. No. 118–1)

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. **Page S567**

#### Measures Passed:

*Texas Rangers Bicentennial:* Senate agreed to S. Res. 86, commemorating the bicentennial of the Texas Ranger Division of the Texas Department of Public Safety, the oldest State law enforcement agency in North America, and honoring the men and women, past and present, of the Texas Rangers. **Page S545**

*Prudence and Loyalty in Selecting Plan Investments and Exercising Shareholder Rights:* By 50 yeas to 46 nays (Vote No. 35), Senate passed H.J. Res. 30, providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of Labor relating to “Prudence and Loyalty in Selecting Plan Investments and Exercising Shareholder Rights”. **Pages S550–56**

*COVID–19 Origin Act:* Senate passed S. 619, to require the Director of National Intelligence to declassify information relating to the origin of COVID–19. **Page S612**

**Messages from the President:** Senate received the following messages from the President of the United States:

Transmitting, pursuant to law, a report of the continuation of the national emergency that was originally declared in Executive Order 13288 of March 6, 2003, with respect to the actions and policies of certain members of the Government of Zimbabwe and other persons to undermine Zimbabwe’s democratic processes or institutions; which was referred to the Committee on Banking, Housing, and Urban Affairs. (PM–2) **Pages S566–67**

Transmitting, pursuant to law, a report of the continuation of the national emergency that was originally declared in Executive Order 13660 of March 6, 2014, with respect to Ukraine; which was referred to the Committee on Banking, Housing, and Urban Affairs. (PM–3) **Page S567**

Transmitting, pursuant to law, a report of the continuation of the national emergency that was originally declared in Executive Order 13692 of March 8, 2015, with respect to the situation in Venezuela; which was referred to the Committee on Banking, Housing, and Urban Affairs. (PM-4)

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**Lawless Nomination—Agreement:** Senate resumed consideration of the nomination of Colleen R. Lawless, of Illinois, to be United States District Judge for the Central District of Illinois. Pages S546–50

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

By 53 yeas to 43 nays (Vote No. EX. 33), Senate agreed to the motion to close further debate on the nomination. Page S546

A unanimous-consent agreement was reached providing for further consideration of the nomination, post-cloture, at approximately 10 a.m., on Thursday, March 2, 2023; that at 11:30 a.m., Senate vote on confirmation of the nomination, followed by a vote on the motion to invoke cloture on the nomination of Gordon P. Gallagher, of Colorado, to be United States District Judge for the District of Colorado; that if cloture is invoked on the nomination of Gordon P. Gallagher, all post-cloture time be considered expired and that the confirmation votes on the nominations of James Edward Simmons, Jr., of California, to be United States District Judge for the Southern District of California, and Gordon P. Gallagher be at a time to be determined by the Majority Leader, in consultation with the Republican Leader; and that at 1:45 p.m., Senate vote on confirmation of the nomination of Jonathan James Canada Grey, of Michigan, to be United States District Judge for the Eastern District of Michigan.

Page S612

**Grey Nomination:** Senate resumed consideration of the nomination of Jonathan James Canada Grey, of Michigan, to be United States District Judge for the Eastern District of Michigan. Page S550

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

By 52 yeas to 44 nays (Vote No. EX. 34), Senate agreed to the motion to close further debate on the nomination. Page S550

**Simmons, Jr. Nomination:** Senate resumed consideration of the nomination of James Edward Simmons, Jr., of California, to be United States District Judge for the Southern District of California.

Pages S556–62

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

By 51 yeas to 45 nays (Vote No. EX. 36), Senate agreed to the motion to close further debate on the nomination. Page S556

**Nomination Confirmed:** Senate confirmed the following nomination:

By 49 yeas 48 nays, Vice President voting yea (Vote No. EX. 32), Margaret R. Guzman, of Massachusetts, to be United States District Judge for the District of Massachusetts. Pages S539–46

**Messages from the House:** Page S567

**Executive Reports of Committees:** Page S567

**Additional Cosponsors:** Pages S569–70

**Statements on Introduced Bills/Resolutions:** Pages S570–74

**Additional Statements:** Pages S565–66

**Authorities for Committees to Meet:** Page S574

**Record Votes:** Five record votes were taken today. (Total—36) Pages S545–46, S550, S556

**Adjournment:** Senate convened at 10 a.m. and adjourned at 7:11 p.m., until 10 a.m. on Thursday, March 2, 2023. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S612.)

## 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 conservation and forestry programs, after receiving testimony from Terry J. Cosby, Chief, Natural Resources Conservation Service, Zach Ducheneaux, Administrator, Farm Service Agency, and Angela Coleman, Associate Chief, Forest Service, all of the Department of Agriculture.

### NOMINATIONS

*Committee on Agriculture, Nutrition, and Forestry:* Committee ordered favorably reported the nomination of Margo Schlanger, of Michigan, to be an Assistant Secretary of Agriculture.

### CLIMATE CHANGE

*Committee on the Budget:* Committee concluded a hearing to examine climate change and the economic risks to coastal communities, after receiving testimony from Sean Beckett, Elliott Bay Analytics, Alexandria, Virginia; Matthew Eby, First Street Foundation, New York, New York; Kate Michaud, Town of Warren, Rhode Island; Jessica Weinkle, University of North Carolina, Wilmington; and Marlo

Lewis, Competitive Enterprise Institute, Washington, D.C.

#### NOMINATION

*Committee on Commerce, Science, and Transportation:* Committee concluded a hearing to examine the nomination of Phillip A. Washington, of Illinois, to be Administrator of the Federal Aviation Administration, after the nominee, who was introduced by Senators Bennet and Hickenlooper, testified and answered questions in his own behalf.

#### NOMINATION

*Committee on Environment and Public Works:* Committee concluded a hearing to examine the nomination of Joseph Goffman, of Pennsylvania, to be an Assistant Administrator of the Environmental Protection Agency, after the nominee testified and answered questions in his own behalf.

#### NOMINATIONS

*Committee on Foreign Relations:* Committee concluded a hearing to examine the nominations of Vivek Hallegere Murthy, of Florida, to be Representative

on the Executive Board of the World Health Organization, Kathleen A. FitzGibbon, of New York, to be Ambassador to the Republic of Niger, Eric W. Kneedler, of Pennsylvania, to be Ambassador to the Republic of Rwanda, who was introduced by Senator Casey, Pamela M. Tremont, of Virginia, to be Ambassador to the Republic of Zimbabwe, and Richard Mills, Jr., of Georgia, to be Ambassador to the Federal Republic of Nigeria, all of the Department of State, after the nominees testified and answered questions in their own behalf.

#### DOJ OVERSIGHT

*Committee on the Judiciary:* Committee concluded an oversight hearing to examine the Department of Justice, after receiving testimony from Merrick B. Garland, Attorney General, Department of Justice.

#### INTELLIGENCE

*Select Committee on Intelligence:* Committee met in closed session to receive a briefing on certain intelligence matters from officials of the intelligence community.

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## House of Representatives

### Chamber Action

**Public Bills and Resolutions Introduced:** 67 public bills, H.R. 5, 1269–1334; and 9 resolutions, H.J. Res. 36–38; H. Con. Res. 21; and H. Res. 189–193, were introduced. **Pages H1046–50**

**Additional Cosponsors:** **Pages H1052–53**

**Reports Filed:** There were no reports filed today.

**Reduce Exacerbated Inflation Negatively Impacting the Nation Act:** The House passed H.R. 347, to require the Executive Office of the President to provide an inflation estimate with respect to Executive orders with a significant effect on the annual gross budget, by a recorded vote of 272 ayes to 148 noes, Roll No. 131. Consideration began yesterday, February 28th. **Pages H976–88**

Agreed to:

Perry amendment (No. 12 printed in H. Rept. 118–4) that applies the bill's requirements to all "major Executive Orders" which cause an annual gross budgetary effect of at least \$1 million;

**Pages H977–79**

Perry amendment (No. 13 printed in H. Rept. 118–4) that requires a detailed description of any impact on the consumer price index; **Pages H979–80**

Yakym amendment (No. 15 printed in H. Rept. 118–4) that requires the statement estimating inflationary effects to break down the type of inflation to the CPI's major categories of Food, Energy, and All Items Less Food and Energy; **Pages H982–83**

Bost amendment (No. 1 printed in H. Rept. 118–4) that was debated on February 28th that requires that the inflationary report take into account the spending patterns of military personnel, rural areas, and farm households (by a recorded vote of 324 ayes to 83 noes, Roll No. 125); **Pages H983–84**

Boebert amendment (No. 3 printed in H. Rept. 118–4) that was debated on February 28th that requires the inflation estimate to be made publicly available by publishing on the OMB website (by a recorded vote of 386 ayes to 31 noes, Roll No. 126); and **Pages H984–85**

Lee (NV) amendment (No. 9 printed in H. Rept. 118–4) that was debated on February 28th that clarifies that nothing in this bill suggests that combatting inflation and bringing down the cost of living is the executive branch's responsibility alone, and not also a key pursuit of the House of Representatives through thoughtful, productive legislative action (by a recorded vote of 364 ayes to 56 noes, Roll No. 129). **Pages H986–87**

Rejected:

Omar amendment (No. 11 printed in H. Rept. 118–4) that sought to require supplementary Genuine Progress Indicator (GPI) factors be considered and evaluated when assessing applicable major executive orders;

**Pages H976–77**

Jackson Lee amendment (No. 6 printed in H. Rept. 118–4) that was debated on February 28th that sought to insert into Sec. 2(a) line 10 “or” after “inflation and Strikes Sec. (a) lines 11–14; to clarify and make consistent with economic policy on inflationary impacts and effects (by a recorded vote of 181 ayes to 236 noes, Roll No. 127);

**Pages H985–86**

Jackson Lee amendment (No. 7 printed in H. Rept. 118–4) that was debated on February 28th that sought to add at the end of section 2(d) the definition to “significant impact” in Sec. 2(a). “The term “significant impact on inflation” means an Executive order was estimated to increase or decrease Consumer Price Index inflation by at least 1% percentage point over the course of a year.” (by a recorded vote of 187 ayes to 232 noes, Roll No. 128); and

**Page H986**

Roy amendment (No. 14 printed in H. Rept. 118–4) that sought to strike exceptions to the mandatory inflation forecasting requirement (by a recorded vote of 199 ayes to 226 noes, Roll No. 130).

**Pages H980–82, H987–88**

H. Res. 166, the rule providing for consideration of the bill (H.R. 347) and the joint resolution (H.J. Res. 30) was agreed to yesterday, February 28th.

**Meeting Hour:** Agreed by unanimous consent that when the House adjourns today, it adjourn to meet at 9 a.m. on Friday, March 3rd.

**Page H988**

**Presidential Messages:** Read a message from the President wherein he notified Congress that the national emergency declared in Executive Order 13288 with respect to Zimbabwe is to continue in effect beyond March 6, 2023—referred to the Committee on Foreign Affairs and ordered to be printed (H. Doc. 118–12).

**Pages H995–96**

Read a message from the President wherein he notified Congress that the national emergency declared in Executive Order 13692 with respect to Venezuela is to continue in effect beyond March 8, 2023—referred to the Committee on Foreign Affairs and ordered to be printed (H. Doc. 118–13).

**Page H996**

Read a message from the President wherein he notified Congress that the national emergency declared in Executive Order 13660 with respect to Ukraine is to continue in effect beyond March 6, 2023—referred to the Committee on Foreign Affairs and ordered to be printed (H. Doc. 118–14).

**Page H996**

**Quorum Calls—Votes:** Seven recorded votes developed during the proceedings of today and appear on

pages H984, H984–85, H985, H986, H986–87, H987, and H988.

**Adjournment:** The House met at 9 a.m. and adjourned at 2:25 p.m.

## Committee Meetings

### UNITED NATIONS

*Committee on Appropriations:* Subcommittee on State, Foreign Operations and Related Programs held an oversight hearing on the United Nations. Testimony was heard from Linda Thomas-Greenfield, U.S. Ambassador to the United Nations.

### PROMOTING U.S. INNOVATION AND INDIVIDUAL LIBERTY THROUGH A NATIONAL STANDARD FOR DATA PRIVACY

*Committee on Energy and Commerce:* Subcommittee on Innovation, Data, and Commerce held a hearing entitled “Promoting U.S. Innovation and Individual Liberty through a National Standard for Data Privacy”. Testimony was heard from public witnesses.

### MISCELLANEOUS MEASURES

*Committee on Foreign Affairs:* Full Committee concluded a markup on H.R. 1093, to direct the Secretary of State to submit to Congress a report on implementation of the advanced capabilities pillar of the trilateral security partnership between Australia, the United Kingdom, and the United States; H.R. 1159, to amend the “Taiwan Assurance Act of 2020” to require periodic reviews and updated reports relating to the Department of State’s Taiwan Guidelines; H.R. 1189, the “Undersea Cable Control Act”; H. Res. 90, demanding that the Government of the People’s Republic of China and the Communist Party of China immediately release Mark Swidan; H.R. 406, the “Providing Appropriate Recognition and Treatment Needed to Enhance Relations with ASEAN Act”; H.R. 1149, the “Countering Untrusted Telecommunications Abroad Act”; H.R. 1157, the “Countering the PRC Malign Influence Fund Authorization Act of 2023”; H.R. 1107, the “PRC is Not a Developing Country Act”; H.R. 1154, the “Stop Forced Organ Harvesting Act of 2023”; H.R. 1153, the “Deterring America’s Technological Adversaries Act”; and H.R. 1151, the “Upholding Sovereignty of Airspace Act”. H.R. 1093, H.R. 1159, H.R. 1189, H. Res. 90, H.R. 406, H.R. 1149, H.R. 1157, H.R. 1154, and H.R. 1153 were ordered reported, without amendment. H.R. 1107 and H.R. 1151 were ordered reported, as amended.

## PART 2: COMMITTEE FUNDING FOR THE 118TH CONGRESS

*Committee on House Administration:* Full Committee held a hearing entitled “Part 2: Committee Funding for the 118th Congress”. Testimony was heard from Chairman Gallagher, Chairman Green of Tennessee, Chairman Guest, Chairman McCaul, Chairman McHenry, Chairman Rodgers of Washington, Chairman Rogers of Alabama, Chairman Smith of Missouri, Chairman Thompson of Pennsylvania, and Representatives Krishnamoorthi, Meeks, Neal, Pallone, Smith of Washington, Thompson of Mississippi, and Waters.

## THE FENTANYL CRISIS IN AMERICA: INACTION IS NO LONGER AN OPTION

*Committee on the Judiciary:* Subcommittee on Crime and Federal Government Surveillance held a hearing entitled “The Fentanyl Crisis in America: Inaction is No Longer an Option”. Testimony was heard from public witnesses.

## UNLOCKING INDIAN COUNTRY’S ECONOMIC POTENTIAL

*Committee on Natural Resources:* Subcommittee on Indian and Insular Affairs held a hearing entitled “Unlocking Indian Country’s Economic Potential”. Testimony was heard from public witnesses.

## *Joint Meetings*

### VSO LEGISLATIVE PRESENTATIONS

*Committee on Veterans’ Affairs:* Senate Committee on Veterans’ Affairs concluded a joint hearing with the House Committee on Veterans’ Affairs to examine the legislative presentation of the American Legion and multiple veterans service organizations, after receiving testimony from Vincent J. Troiola, Chanin

Nuntavong, Lawrence Montreuil, James LaCoursiere, Autrey James, Jay Bowen, and Joe Sharpe, all of the American Legion; Charles Brown, Paralyzed Veterans of America; Jared Lyon, Student Veterans of America; Jeremy Butler, Iraq and Afghanistan Veterans of America; James S. Hartsell, National Association of State Directors of Veterans Affairs; Shawn L. Deadwiler, Black Veterans Empowerment Council Inc.; Jack McManus, Vietnam Veterans of America; Christopher J. Slawinski, Fleet Reserve Association; Angela Pratt, National Congress of American Indians Veterans Committee; and Brig. Gen. Roy Robinson (Ret.), National Guard Association of the United States.

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## COMMITTEE MEETINGS FOR THURSDAY, MARCH 2, 2023

*(Committee meetings are open unless otherwise indicated)*

### Senate

*Committee on Armed Services:* to receive a closed briefing on munitions to include requirements development, Ukraine support, and replenishment management, 9:30 a.m., SVC-217.

*Committee on Finance:* business meeting to consider the nominations of Daniel I. Werfel, of the District of Columbia, to be Commissioner of Internal Revenue, and Brent Neiman, of Illinois, to be a Deputy Under Secretary, both of the Department of the Treasury, and Rebecca Lee Haffajee, of Massachusetts, to be an Assistant Secretary of Health and Human Services, 10 a.m., SD-215.

*Committee on Health, Education, Labor, and Pensions:* to hold hearings to examine community health centers, 10 a.m., SD-430.

### House

No hearings are scheduled.

# Résumé of Congressional Activity

## FIRST SESSION OF THE ONE HUNDRED EIGHTEENTH CONGRESS

The first table gives a comprehensive résumé of all legislative business transacted by the Senate and House. The second table accounts for all nominations submitted to the Senate by the President for Senate confirmation.

### DATA ON LEGISLATIVE ACTIVITY

January 3 through February 28, 2023

	<i>Senate</i>	<i>House</i>	<i>Total</i>
Days in session .....	26	30	..
Time in session .....	97 hrs., 56'	117 hrs., 7'	..
Congressional Record:			
Pages of proceedings .....	538	973	..
Extensions of Remarks .....	..	164	..
Public bills enacted into law .....	29	..	..
Private bills enacted into law .....	..	..	..
Bills in conference .....	..	..	..
Measures passed, total .....	41	69	110
Senate bills .....	2	..	..
House bills .....	..	28	..
Senate joint resolutions .....	..	..	..
House joint resolutions .....	..	4	..
Senate concurrent resolutions .....	..	..	..
House concurrent resolutions .....	1	5	..
Simple resolutions .....	38	32	..
Measures reported, total .....	*18	*4	22
Senate bills .....	..	..	..
House bills .....	..	..	..
Senate joint resolutions .....	..	..	..
House joint resolutions .....	..	..	..
Senate concurrent resolutions .....	..	..	..
House concurrent resolutions .....	..	..	..
Simple resolutions .....	18	4	..
Special reports .....	..	..	..
Conference reports .....	..	..	..
Measures pending on calendar .....	16	..	..
Measures introduced, total .....	674	1,493	2,167
Bills .....	568	1,250	..
Joint resolutions .....	17	35	..
Concurrent resolutions .....	4	20	..
Simple resolutions .....	85	188	..
Quorum calls .....	1	1	..
Yea-and-nay votes .....	31	56	..
Recorded votes .....	..	67	..
Bills vetoed .....	..	..	..
Vetoes overridden .....	..	..	..

### DISPOSITION OF EXECUTIVE NOMINATIONS

January 3 through February 28, 2023

Civilian nominees, totaling 212, disposed of as follows:	
Confirmed .....	16
Unconfirmed .....	196
Other Civilian nominees, totaling 380, disposed of as follows:	
Unconfirmed .....	380
Air Force nominees, totaling 882, disposed of as follows:	
Confirmed .....	613
Unconfirmed .....	269
Army nominees, totaling 2,414, disposed of as follows:	
Confirmed .....	133
Unconfirmed .....	2,281
Navy nominees, totaling 63, disposed of as follows:	
Confirmed .....	10
Unconfirmed .....	53
Marine Corps nominees, totaling 1,077, disposed of as follows:	
Confirmed .....	1,026
Unconfirmed .....	51
<i>Summary</i>	
Total nominees carried over from the First Session .....	0
Total nominees received this Session .....	5,028
Total confirmed .....	1,798
Total unconfirmed .....	3,230
Total withdrawn .....	0
Total returned to the White House .....	0

\*These figures include all measures reported, even if there was no accompanying report. A total of 0 written reports have been filed in the Senate, 4 reports have been filed in the House.

*Next Meeting of the SENATE*

10 a.m., Thursday, March 2

## Senate Chamber

**Program for Thursday:** Senate will continue consideration of the nomination of Colleen R. Lawless, of Illinois, to be United States District Judge for the Central District of Illinois.

At 11:30 a.m., Senate will vote on confirmation of the nomination of Colleen R. Lawless, followed by a vote on the motion to invoke cloture on the nomination of Gordon P. Gallagher, of Colorado, to be United States District Judge for the District of Colorado.

At 1:45 p.m., Senate will vote on confirmation of the nomination of Jonathan James Canada Grey, of Michigan, to be United States District Judge for the Eastern District of Michigan.

*(Senate will recess following the vote on the motion to invoke cloture on the nomination of Gordon P. Gallagher until 1:45 p.m.)*

*Next Meeting of the HOUSE OF REPRESENTATIVES*

9 a.m., Friday, March 3

## House Chamber

**Program for Friday:** House will meet in Pro Forma session at 9 a.m.

## Extensions of Remarks, as inserted in this issue

## HOUSE

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