

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S4627–S4808

Measures Introduced: Twenty-two bills and six resolutions were introduced, as follows: S. 4857–4878, and S. Res. 765–770. **Pages S4638–39**

Measures Reported:

S. 4553, to extend other transaction authority for the Department of Homeland Security. (S. Rept. No. 117–149)

S. 4428, to support the security of Taiwan and its right of self-determination, with an amendment in the nature of a substitute.

S. 4653, to provide for certain authorities of the Department of State, with an amendment in the nature of a substitute. **Page S4638**

Measures Passed:

National Day of Service and Remembrance: Committee on the Judiciary was discharged from further consideration of S. Res. 755, recognizing September 11, 2022, as a “National Day of Service and Remembrance”, and the resolution was then agreed to. **Page S4804**

National Direct Support Professionals Recognition Week: Senate agreed to S. Res. 767, designating the week beginning September 11, 2022, as “National Direct Support Professionals Recognition Week”. **Pages S4804–05**

National Forensic Science Week: Senate agreed to S. Res. 768, recognizing and supporting the goals and ideals of National Forensic Science Week. **Page S4805**

Solid Start Act—Agreement: A unanimous-consent agreement was reached providing that the Secretary of the Senate be authorized to request the House of Representatives to return the papers on S. 1198, to amend title 38, United States Code, to improve and expand the Solid Start program of the Department of Veterans Affairs; provided further that upon receipt of the bill from the House, the Senate’s actions on September 8, 2022 with respect to S. 1198 be vitiated, and Senate then proceed to the immediate consideration of S. 1198; the committee-reported

substitute be withdrawn, the Tester substitute amendment at the desk be considered and agreed to; and the bill, as amended, be considered read a third time and passed, all without intervening action or debate. **Page S4804**

Pan Nomination—Cloture: Senate began consideration of the nomination of Florence Y. Pan, of the District of Columbia, to be United States Circuit Judge for the District of Columbia Circuit. **Page S4634**

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, and pursuant to the unanimous-consent agreement of Thursday, September 15, 2022, a vote on cloture will occur at 5:30 p.m., on Monday, September 19, 2022. **Page S4634**

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

Senate agreed to the motion to proceed to Executive Session to consider the nomination. **Page S4634**

A unanimous-consent agreement was reached providing that at approximately 3 p.m., on Monday, September 19, 2022, Senate resume consideration of the nomination; and that the motions to invoke cloture filed on Thursday, September 15, 2022, ripen at 5:30 p.m. on Monday, September 19, 2022. **Page S4805**

Amendment to Montreal Protocol (“Kigali Amendment”)—Cloture: Senate began consideration of the amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer (the “Montreal Protocol”), adopted at Kigali on October 15, 2016, by the Twenty-Eighth Meeting of the Parties to the Montreal Protocol (the “Kigali Amendment”) (Treaty Doc. 117–1), and a resolution of advice and consent to ratification with 1 declaration. **Page S4635**

A motion was entered to close further debate on the treaty and resolution of advice and consent to ratification with 1 declaration, 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 Florence Y.

Pan, of the District of Columbia, to be United States Circuit Judge for the District of Columbia Circuit.

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

Senate agreed to the motion to proceed to Legislative Session.

Page S4634

Senate agreed to the motion to proceed to Executive Session to consider the treaty.

Page S4635

A unanimous-consent agreement was reached providing that the filing deadline for first-degree amendments to treaty be at 4 p.m., on Monday, September 19, 2022.

Page S4635

Nominations Confirmed: Senate confirmed the following nominations:

By 53 yeas to 44 nays (Vote No. EX. 337), Sarah A. L. Merriam, of Connecticut, to be United States Circuit Judge for the Second Circuit.

Pages S4627–31

By 77 yeas to 18 nays (Vote No. EX. 338), David P. Pekoske, of Maryland, to be Administrator of the Transportation Security Administration for a term of five years.

Pages S4631–34

Geoffrey R. Pyatt, of California, to be an Assistant Secretary of State (Energy Resources).

Nathaniel Fick, of Maine, to be Ambassador at Large for Cyberspace and Digital Policy.

Rolfe Michael Schiffer, of New York, to be an Assistant Administrator of the United States Agency for International Development.

Patrick Leahy, of Vermont, to be a Representative of the United States of America to the Seventy-seventh Session of the General Assembly of the United Nations.

James E. Risch, of Idaho, to be a Representative of the United States of America to the Seventy-seventh Session of the General Assembly of the United Nations.

Page S4635

Nominations Received: Senate received the following nominations:

Roger B. Handberg, of Florida, to be United States Attorney for the Middle District of Florida for the term of four years.

Markenzy Lapointe, of Florida, to be United States Attorney for the Southern District of Florida for the term of four years.

McLain J. Schneider, of North Dakota, to be United States Attorney for the District of North Dakota for the term of four years.

1 Air Force nomination in the rank of general.

2 Army nominations in the rank of general.

Routine lists in the Air Force, Army, Navy, and Space Force.

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Messages from the House:

Page S4637

Enrolled Bills Presented:

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Executive Communications: **Page S4638**

Executive Reports of Committees: **Page S4638**

Additional Cosponsors: **Pages S4639–40**

Statements on Introduced Bills/Resolutions: **Pages S4640–45**

Additional Statements: **Pages S4636–37**

Amendments Submitted: **Pages S4645–S4804**

Authorities for Committees to Meet: **Page S4804**

Record Votes: Two record votes were taken today. (Total—338) **Pages S4631, S4634**

Adjournment: Senate convened at 10 a.m. and adjourned at 3:57 p.m., until 3 p.m. on Monday, September 19, 2022. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S4805.)

Committee Meetings

(Committees not listed did not meet)

DIGITAL COMMODITY MARKET

Committee on Agriculture, Nutrition, and Forestry: Committee concluded a hearing to examine S. 4760, to amend the Commodity Exchange Act to provide the Commodity Futures Trading Commission jurisdiction to oversee the spot digital commodity market, after receiving testimony from Rostin Behnam, Chairman, Commodity Futures Trading Commission; Todd Phillips, Center for American Progress, Sheila Warren, Crypto Council for Innovation, Christine Parker, Coinbase, and Denelle Dixon, Stellar Development Foundation, all of San Francisco, California; and Heath P. Tarbert, Citadel Securities, Chicago, Illinois.

NOMINATION

Committee on Armed Services: Committee concluded a hearing to examine the nomination of General Anthony J. Cotton, USAF, for reappointment to the grade of general and to be Commander of United States Strategic Command, Department of Defense, after the nominee testified and answered questions in his own behalf.

SECURITIES AND EXCHANGE COMMISSION

Committee on Banking, Housing, and Urban Affairs: Committee concluded an oversight hearing to examine the Securities and Exchange Commission, including S. 945, to provide temporary impact aid construction grants to eligible local educational agencies, S. 4356, to provide for responsible financial innovation and to bring digital assets within the regulatory perimeter, S. 4760, to amend the Commodity Exchange Act to provide the Commodity Futures

Trading Commission jurisdiction to oversee the spot digital commodity market, S. 374, to amend the Securities Exchange Act of 1934 to require the submission by issuers of data relating to diversity, S. 3961, to permit a registered investment company to omit certain fees from the calculation of acquired fund fees and expenses, and S. 2009, to promote transparency by permitting the Public Company Accounting Oversight Board to allow its disciplinary proceedings to be open to the public, after receiving testimony from Gary Gensler, Chair, Securities and Exchange Commission.

FUSION ENERGY

Committee on Energy and Natural Resources: Committee concluded a hearing to examine the Federal government's role in supporting the commercialization of fusion energy, after receiving testimony from Scott C. Hsu, Lead Fusion Coordinator, Office of the Undersecretary for Science and Innovation, Department of Energy; Steven Cowley, Princeton Plasma Physics Laboratory, Princeton, New Jersey; Tim Luce, ITER Organization, St. Paul lez Durance Cedex, France; and Bob Mumgaard, Commonwealth Fusion Systems, Cambridge, Massachusetts.

VENEZUELA

Committee on Foreign Relations: Committee concluded a hearing to examine assessing United States policy

towards Venezuela, after receiving testimony from Brian A. Nichols, Assistant Secretary of State for Bureau of Western Hemisphere Affairs; and Marcela Escobari, Assistant Administrator, Bureau for Latin America and the Caribbean, U.S. Agency for International Development.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the following business items:

S. 4524, to limit the judicial enforceability of predispute nondisclosure and nondisparagement contract clauses relating to disputes involving sexual assault and sexual harassment, with an amendment in the nature of a substitute; and

The nominations of Dana M. Douglas, of Louisiana, to be United States Circuit Judge for the Fifth Circuit, Bradley N. Garcia, of Maryland, to be United States Circuit Judge for the District of Columbia Circuit, Frances Kay Behm, to be United States District Judge for the Eastern District of Michigan, Jerry W. Blackwell, to be United States District Judge for the District of Minnesota, Anne M. Nardacci, to be United States District Judge for the Northern District of New York, and Kevin G. Ritz, to be United States Attorney for the Western District of Tennessee, Department of Justice.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 41 public bills, H.R. 8832–8872; and 9 resolutions, H.J. Res. 96; and H.Res. 1353–1360 were introduced.

Pages H7880–82

Additional Cosponsors:

Pages H7883–84

Reports Filed: There were no reports filed today.

Speaker: Read a letter from the Speaker wherein she appointed Representative Carson to act as Speaker pro tempore for today.

Page H7845

Preventing a Patronage System Act: The House passed H.R. 302, to impose limits on excepting competitive service positions from the competitive service, by a yea-and-nay vote of 225 yeas to 204 nays, Roll No. 432.

Pages H7848–57

Pursuant to the Rule, the amendment in the nature of a substitute recommended by the Committee

on Oversight and Reform now printed in the bill shall be considered as adopted.

Page H7848

Rejected:

Hice amendment (No. 1 printed in part A of H. Rept. 117–464) that sought to ensure that a policy similar to Schedule F could be reinstated in the future by the President (by a yea-and-nay vote of 204 yeas to 226 nays, Roll No. 431).

Pages H7854–56

H. Res. 1339, the rule providing for consideration of the bills (H.R. 302), (H.R. 2988), and (H.R. 8326) was agreed to yesterday, September 14th.

Ensuring a Fair and Accurate Census Act: The House passed H.R. 8326, to amend title 13, United States Code, to improve the operations of the Bureau of the Census, by a yea-and-nay vote of 220 yeas to 208 nays, Roll No. 435. Consideration began yesterday, September 14th.

Pages H7858–60

Agreed to:

Danny K. Davis (IL) amendment en bloc No. 1 consisting of the following amendments printed in

part C of H. Rept. 117–464 that was debated on September 14th: Jackson Lee (No. 1) that directs the Deputy Director to appoint an employee within the Census Bureau who will be responsible for optimizing racial and ethnic equity in the decennial census count of the population by engaging in specified activities, the progress of which shall be included in the Secretary’s biannual reports to Congress; and Case (No. 3) that requires the Census Bureau to submit a report to Congress on the agency’s current processes for consulting and engaging with jurisdictions and local partners in conducting the decennial census and efforts by the Bureau to improve local-level data collection and coordination of local field operations (by a yea-and-nay vote of 223 yeas to 211 nays, Roll No. 433). **Pages H7858–59**

Rejected:

Hice amendment (No. 2 printed in part C of H. Rept. 117–464) that was debated on September 14th that sought to eliminate for-cause removal requirements of the Director of the Census Bureau; strike the requirement that the Deputy Director position be a career-reserved candidate and certain qualifications for the position; and add that the Deputy act as the Director in the event of a vacancy in the Director position (by a yea-and-nay vote of 210 yeas to 222 nays, Roll No. 434). **Pages H7859–60**

H. Res. 1339, the rule providing for consideration of the bills (H.R. 302), (H.R. 2988), and (H.R. 8326) was agreed to yesterday, September 14th.

Whistleblower Protection Improvement Act: The House passed H.R. 2988, to amend title 5, United States Code, to modify and enhance protections for Federal Government whistleblowers, by a yea-and-nay vote of 221 yeas to 203 nays, Roll No. 437. Consideration began yesterday, September 14th.

Pages H7860–62

Agreed to:

Carolyn B. Maloney (NY) amendment en bloc No. 1 consisting of the following amendments printed in part C of H. Rept. 117–464 that was debated on September 14th: Auchincloss (No. 1) that requires GAO to conduct within four years of enactment a study that at a minimum examines the timeliness of MSPB whistleblower complaint rulings, reports on the rate of whistleblowers opting for a district court trial, and offers recommendations for MSPB to make improvements to its whistleblower complaint review process; Jackson Lee (No. 2) that directs each Office of Inspector General to establish and maintain a mechanism to receive anonymous whistleblower information that conforms to specified requirements to ensure and maintain anonymity; Porter (No. 3) that creates new reporting requirement for Inspectors General to provide to Congress the number of instances in which their Office did not resolve a whis-

tleblower retaliation complaint within 8 months after receiving the complaint; and Spanberger (No. 4) that adds language to allow whistleblowers to challenge adverse security clearance actions through the same adjudication process used for other whistleblower retaliation complaints (by a yea-and-nay vote of 224 yeas to 206 nays, Roll No. 436). **Page H7861**

H. Res. 1339, the rule providing for consideration of the bills (H.R. 302), (H.R. 2988), and (H.R. 8326) was agreed to yesterday, September 14th.

Senate Referrals: S. 533 was held at the desk. S. 4057 was held at the desk. S. 4235 was held at the desk. **Page H7845**

Senate Message: Message received from the Senate today appears on page H7845.

Quorum Calls—Votes: Seven yea-and-nay votes developed during the proceedings of today and appear on pages H7856, H7857, H7858–59, H7859, H7860, H7861, and H7861–62.

Adjournment: The House met at 12 p.m. and adjourned at 6:43 p.m.

Committee Meetings

A 2022 REVIEW OF THE FARM BILL: BROADBAND

Committee on Agriculture: Full Committee held a hearing entitled “A 2022 Review of the Farm Bill: Broadband”. Testimony was heard from Xochitl Torres Small, Under Secretary for Rural Development, Department of Agriculture; and public witnesses.

BUSINESS MEETING; MISCELLANEOUS MEASURES

Committee on Education and Labor: Full Committee held a business meeting to approve Subcommittee assignments; and a markup on H. Res. 1295, of inquiry directing the Secretary of Education to transmit certain documents to the House of Representatives relating to the Department of Education’s cost estimates for the Secretary’s waivers related to public service loan forgiveness and income-driven repayment; H. Res. 1296, of inquiry requesting the President and directing the Secretary of Education to transmit, respectively, certain documents to the House of Representatives relating to the legal authority to forgive Federal student loan debt; and H. Res. 1273, of inquiry directing the President to provide certain documents in the President’s possession to the House of Representatives relating to communication between the executive branch and the American Federation of Teachers regarding reopening schools and supporting safe, in-person learning. Subcommittee assignments were approved. H. Res.

1295, H. Res. 1296, and H. Res. 1273 were ordered reported, as amended.

MISCELLANEOUS MEASURES

Committee on Foreign Affairs: Full Committee concluded a markup on H.R. 8446, the “Global Food Security Reauthorization Act of 2022”; H.R. 2374, the “Peace and Tolerance in Palestinian Education Act”; H. Res. 1240, requesting the President, and directing the Secretary of State, to transmit to the House of Representatives copies of all documents in their possession referring or relating to certain aspects of the United States withdrawal from Afghanistan; H. Res. 1266, requesting the President to transmit certain documents to the House of Representatives relating to any initiative or negotiations regarding Iran’s nuclear program; H. Res. 1342, reaffirming the importance of diplomacy and development in United States-African Union relations, promoting strategic partnerships and shared objectives between the United States and the African Union, and expressing strong support for the successful implementation of the African Continental Free Trade Agreement; H.R. 4213, the “YSEALI Act”; H.R. 8681, the “John Lewis Civil Rights Fellowship Act”; H.R. 8153, the “Indo-Pacific Engagement Act”; H.R. 8813, the “AFFECT Human Rights in Venezuela Act”; and H.R. 6846, the “CORRUPT Act”. H.R. 8446, H.R. 8681, H.R. 6846, H.R. 4213, and H.R. 2374 were ordered reported, as amended. H. Res. 1342, H.R. 8813, H. Res. 1266, H. Res. 1240, and H.R. 8153 were ordered reported, without amendment.

THE SUSTAINABLE DEVELOPMENT GOALS AND RECOVERY FROM THE COVID-19 PANDEMIC: IMPLICATIONS FOR U.S. POLICY

Committee on Foreign Affairs: Subcommittee on International Development, International Organizations, and Global Corporate Social Impact held a hearing entitled “The Sustainable Development Goals and Recovery from the COVID-19 Pandemic: Implications for U.S. Policy”. Testimony was heard from public witnesses.

LEARNING LOSS IN LATIN AMERICA AND THE CARIBBEAN: BUILDING BETTER EDUCATION SYSTEMS IN THE WAKE OF THE PANDEMIC

Committee on Foreign Affairs: Subcommittee on the Western Hemisphere, Civilian Security, Migration and International Economic Policy held a hearing entitled “Learning Loss in Latin America and the Caribbean: Building Better Education Systems in the Wake of the Pandemic”. Testimony was heard from public witnesses.

BUILDING ON OUR BASELINE: SECURING INDUSTRIAL CONTROL SYSTEMS AGAINST CYBERATTACKS

Committee on Homeland Security: Subcommittee on Cybersecurity, Infrastructure Protection, and Innovation held a hearing entitled “Building on our Baseline: Securing Industrial Control Systems Against Cyberattacks”. Testimony was heard from Eric Goldstein, Executive Assistant Director for Cybersecurity, Cybersecurity and Infrastructure Security Agency, Department of Homeland Security; and Vergle Gipson, Senior Advisor, Cybercore Integration Center, Idaho National Laboratory, Department of Energy.

MISCELLANEOUS MEASURES

Committee on Natural Resources: Full Committee began a markup on H. Res. 1247, of inquiry directing the Secretary of the Interior to transmit certain documents to the House of Representatives relating to the 2023–2028 five-year program for offshore oil and gas leasing; H. Res. 1248, of inquiry directing the Secretary of the Interior to transmit certain documents to the House of Representatives relating to the compliance with the obligations of the Mineral Leasing Act; H. Res. 1251, of inquiry directing the Secretary of Agriculture to transmit certain documents to the House of Representatives relating to the mineral withdrawal within the Superior National Forest; H. Res. 1252, of inquiry directing the Secretary of the Interior to transmit certain documents to the House of Representatives relating to the mineral withdrawal within the Superior National Forest; and H. Res. 1253, of inquiry directing the Secretary of the Interior to transmit certain documents to the House of Representatives relating to the actions of the Department of the Interior’s Departmental Ethics Office.

FUELING THE CLIMATE CRISIS: EXAMINING BIG OIL’S PRICES, PROFITS, AND PLEDGES

Committee on Oversight and Reform: Full Committee held a hearing entitled “Fueling the Climate Crisis: Examining Big Oil’s Prices, Profits, and Pledges”. Testimony was heard from public witnesses.

THE FOUNTAIN OF YOUTH? THE QUEST FOR AGING THERAPIES

Committee on Science, Space, and Technology: Subcommittee on Investigations and Oversight held a hearing entitled “The Fountain of Youth? The Quest for Aging Therapies”. Testimony was heard from public witnesses.

**BACK TO SCHOOL, BACK TO STARTUPS:
SUPPORTING YOUTH APPRENTICESHIP,
ENTREPRENEURSHIP, AND WORKFORCE
DEVELOPMENT**

Committee on Small Business: Subcommittee on Innovation, Entrepreneurship, and Workforce Development held a hearing entitled “Back to School, Back to Startups: Supporting Youth Apprenticeship, Entrepreneurship, and Workforce Development”. Testimony was heard from Shani Watkins, Director, West Sound Technical Skills Center, Bremerton School District, Washington; and public witnesses.

**RECOVERY UPDATE: STATUS OF FEMA
RECOVERY EFFORTS IN PUERTO RICO AND
U.S. VIRGIN ISLANDS 5 YEARS AFTER
HURRICANES IRMA AND MARIA**

Committee on Transportation and Infrastructure: Subcommittee on Economic Development, Public Buildings, and Emergency Management held a hearing entitled “Recovery Update: Status of FEMA Recovery Efforts in Puerto Rico and U.S. Virgin Islands 5 Years After Hurricanes Irma and Maria”. Testimony was heard from Anne Bink, Associate Administrator, Office of Response and Recovery, Federal Emergency Management Agency; Chris Currie, Director, Office of Homeland Security and Justice, Government Accountability Office, Department of Homeland Security; Adrienne Williams, Director, Office of Disaster Recovery, U.S. Virgin Islands; Manuel Laboy, Executive Director, Office of Recovery, Reconstruction, and Resiliency, Puerto Rico; Josue Colon, Executive Director, Puerto Rico Electric Power Authority; and a public witness.

**VETERAN READINESS AND EMPLOYMENT:
IS VA SUCCEEDING?**

Committee on Veterans' Affairs: Subcommittee on Economic Opportunity held a hearing entitled “Veteran Readiness and Employment: Is VA Succeeding?”. Testimony was heard from Nick Pamperin, Executive Director, Veteran Readiness and Employment, Veterans Benefits Administration, Department of Veterans Affairs; and public witnesses.

**EXAMINING WOMEN VETERANS' ACCESS
TO THE FULL SPECTRUM OF MEDICAL
CARE, INCLUDING REPRODUCTIVE
HEALTHCARE, THROUGH THE
DEPARTMENT OF AFFAIRS (VA) VETERAN
HEALTH ADMINISTRATION (VHA)**

Committee on Veterans' Affairs: Full Committee held a hearing entitled “Examining Women Veterans' Access to the Full Spectrum of Medical Care, Including Reproductive Healthcare, through the Department of Affairs (VA) Veteran Health Administration (VHA)”. Testimony was heard from Shereef Elnahal, Under Secretary for Health, Veterans Health Administration, Department of Veterans Affairs; Lindsay Church, Veteran, U.S. Navy; and public witnesses.

**PREPARING AMERICA'S HEALTH CARE
INFRASTRUCTURE FOR THE CLIMATE
CRISIS**

Committee on Ways and Means: Full Committee held a hearing entitled “Preparing America's Health Care Infrastructure for the Climate Crisis”. Testimony was heard from public witnesses.

Joint Meetings

RUSSIA'S WAR IN UKRAINE

Commission on Security and Cooperation in Europe: Commission concluded a hearing to examine Russia's war in Ukraine, after receiving testimony from Yuliia Paievskia, Taira's Angels; and Hanna Hopko, International Center for Ukrainian Victory.

**COMMITTEE MEETINGS FOR MONDAY,
SEPTEMBER 19, 2022**

(Committee meetings are open unless otherwise indicated)

Senate

No meetings/hearings scheduled.

House

Committee on Oversight and Reform, September 16, Subcommittee on Government Operations, hearing entitled “Project Federal Information Technology: Make IT Work”, 9 a.m., 2154 Rayburn and Zoom.

Committee on Rules, Full Committee, hearing on S. 1098, the “Joint Consolidation Loan Separation Act”, 2 p.m., H-313 Capitol.

Next Meeting of the SENATE

3 p.m., Monday, September 19

Next Meeting of the HOUSE OF REPRESENTATIVES

12 noon, Monday, September 19

Senate Chamber

Program for Monday: After the transaction of any morning business, Senate will resume consideration of the nomination of Florence Y. Pan, of the District of Columbia, to be United States Circuit Judge for the District of Columbia Circuit, and vote on the motion to invoke cloture thereon at 5:30 p.m.

The filing deadline for first-degree amendments to the Amendment to Montreal Protocol (“Kigali Amendment”) is at 4 p.m.

House Chamber

Program for Monday: To be announced.

Extensions of Remarks, as inserted in this issue

HOUSE

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