

Tuesday, November 28, 2023

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S5619–S5642

Measures Introduced: Five bills and three resolutions were introduced, as follows: S. 3349–3353, and S. Res. 476–478.

Page S5639

Measures Reported:

S. 90, to require the disclosure of a camera or recording capability in certain internet-connected devices, with an amendment. (S. Rept. No. 118–114)

Page S5639

Measures Passed:

National Move Over Law Day: Senate agreed to S. Res. 476, supporting the goals and ideals of a National Move Over Law Day.

Page S5641

University of Mississippi 175 Years of Service: Senate agreed to S. Res. 477, commending the University of Mississippi for 175 years of service to the State of Mississippi and the United States.

Page S5641

National Hospice and Palliative Care Month: Senate agreed to S. Res. 478, designating November 2023 as “National Hospice and Palliative Care Month”.

Page S5641

Rodriguez Nomination: By 44 yeas to 51 nays (Vote No. EX. 318), Senate rejected the motion to close further debate on the nomination of Jose Javier Rodriguez, of Florida, to be an Assistant Secretary of Labor.

Pages S5623–24

Senator Schumer entered a motion to reconsider the vote by which cloture was not invoked on the nomination.

Page S5624

Smith Nomination—Agreement: Senate began consideration of the motion to proceed to consideration of the nomination of Micah W.J. Smith, of Hawaii, to be United States District Judge for the District of Hawaii.

Page S5624

A unanimous-consent agreement was reached providing for further consideration of the nomination at approximately 10 a.m., on Wednesday, November 29, 2023; that the motions to invoke cloture filed during the session of Monday, November 27, 2023 ripen at 11:30 a.m.; that if cloture is invoked on the

nomination of Micah W.J. Smith, all time be considered expired at 2:30 p.m.; and that if cloture is invoked on the nomination of Jamel Semper, of New Jersey, to be United States District Judge for the District of New Jersey, all time be considered expired at 5:45 p.m.

Page S5642

Nominations Confirmed: Senate confirmed the following nominations:

By 49 yeas to 46 nays (Vote No. EX. 315), Jeffrey M. Bryan, of Minnesota, to be United States District Judge for the District of Minnesota.

Page S5622

By 49 yeas to 46 nays (Vote No. EX. 317), Margaret M. Garnett, of New York, to be United States District Judge for the Southern District of New York.

Page S5623

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

By 49 yeas to 46 nays (Vote No. EX. 316), Senate agreed to the motion to close further debate on the nomination.

Page S5623

Executive Communications: Pages S5638–39

Executive Reports of Committees: Page S5639

Additional Cosponsors: Pages S5637–41

Statements on Introduced Bills/Resolutions:

Pages S5641–42

Additional Statements: Pages S5635–38

Authorities for Committees to Meet: Page S5642

Record Votes: Four record votes were taken today. (Total—318)

Pages S5622–24

Adjournment: Senate convened at 10:01 a.m. and adjourned at 5:46 p.m., until 10 a.m. on Wednesday, November 29, 2023. (For Senate’s program, see the remarks of the Acting Majority Leader in today’s Record on page S5642.)

Committee Meetings

(Committees not listed did not meet)

BUSINESS MEETING

Committee on Finance: Committee ordered favorably reported the nomination of Martin O’Malley, of Maryland, to be Commissioner of Social Security.

D1223

GUN VIOLENCE

Committee on the Judiciary: Committee concluded a hearing to examine the gun violence epidemic, after receiving testimony from Steven H. Cook, Associate Deputy Attorney General (Retired), Department of Justice, Knoxville, Tennessee; Amy E. Swearer, The

Heritage Foundation, Washington, D.C.; Megan L. Ranney, Yale School of Public Health, New Haven, Connecticut; and Vaughn Bryant, Metropolitan Peace Initiatives, and Franklin Cosey-Gay, University of Chicago Medicine Urban Health Initiative Violence Recovery Program, both of Chicago, Illinois.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 11 public bills, H.R. 6481–6491 and 5 resolutions; H. Con. Res. 79 and H. Res. 892–895, were introduced.

Pages H5936–37

Additional Cosponsors:

Pages H5937–38

Reports Filed: Reports were filed today as follows:

H.J. Res. 66, disapproving the rule submitted by the Consumer Financial Protection Bureau relating to “Small Business Lending Under the Equal Credit Opportunity Act (Regulation B)” (H. Rept. 118–279); and

H. Res. 891, providing for consideration of the bill (H.R. 5283) to prohibit the use of Federal funds to provide housing to specified aliens on any land under the administrative jurisdiction of the Federal land management agencies; providing for consideration of the bill (H.R. 5961) to freeze certain Iranian funds involved in the 2023 hostage deal between the United States and Iran, and for other purposes; and providing for consideration of the joint resolution (S. J. Res. 32) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Bureau of Consumer Financial Protection relating to “Small Business Lending Under the Equal Credit Opportunity Act (Regulation B)” (H. Rept. 118–280).

Page H5936

Speaker: Read a letter from the Speaker wherein he appointed Representative Miller-Meeks to act as Speaker pro tempore for today.

Page H5907

Recess: The House recessed at 12:14 p.m. and reconvened at 2 p.m.

Page H5908

Privileged Resolution—Intent to Offer: Representative Robert Garcia (CA) announced his intent to offer a privileged resolution (H. Res. 114) in the matter of George Santos.

Page H5909

Recess: The House recessed at 2:05 p.m. and reconvened at 4 p.m.

Page H5909

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

Providing Opportunities to Show Transparency via Information Technology Act of 2023: H.R. 4668, amended, to amend the Small Business Act to require the Small Business and Agriculture Regulatory Enforcement Ombudsman to publish guidance documents for certain rules;

Pages H5913–14

Small Business Contracting Transparency Act of 2023: H.R. 4670, amended, to amend the Small Business Act to require reporting on additional information with respect to small business concerns owned and controlled by women, qualified HUBZone small business concerns, and small business concerns owned and controlled by veterans;

Pages H5914–17

Prohibiting individuals convicted of defrauding the Government from receiving any assistance from the Small Business Administration: H.R. 5427, to prohibit individuals convicted of defrauding the Government from receiving any assistance from the Small Business Administration;

Pages H5917–19

Successful Entrepreneurship for Reservists and Veterans Act: H.R. 4480, amended, to require the Administrator of the Small Business Administration to report on the veterans interagency task force, to require the Comptroller General of the United States to report on access to credit for small business concerns owned and controlled by covered individuals;

Pages H5919–21

Calling on Hamas to immediately release hostages taken during October 2023 attack on Israel: H. Res. 793, calling on Hamas to immediately release hostages taken during October 2023 attack on Israel, by a 2/3 yea-and-nay vote of 414 yeas with none voting “nay”, Roll No. 676;

Pages H5921–23

Reaffirming the State of Israel’s right to exist: H. Res. 888, reaffirming the State of Israel’s right to exist, by a 2/3 yea-and-nay vote of 412 yeas to 1 nay with one answering “present”, Roll No. 677; and

Pages H5923–27, 5929–30

Expressing support for the diplomatic relations required to encourage the Government of Mexico to fulfill its water deliveries on an annual basis to the United States under the treaty between the United States and Mexico regarding the utilization of the Colorado and Tijuana Rivers and of the Rio Grande: H. Res. 683, expressing support for the diplomatic relations required to encourage the Government of Mexico to fulfill its water deliveries on an annual basis to the United States under the treaty between the United States and Mexico regarding the utilization of the Colorado and Tijuana Rivers and of the Rio Grande. **Pages H5926–27**

Oath of Office—Second Congressional District of Utah: Representative-elect Celeste Maloy presented herself in the well of the House and was administered the Oath of Office by the Speaker. Earlier, the Clerk of the House transmitted a copy of a letter received from Mr. Ryan Cowley, Director of Elections, Office of the Lieutenant Governor, State of Utah, indicating that, according to the unofficial results for the Special Election held November 21, 2023, the Honorable Celeste Maloy was elected for Representative to Congress for the Second Congressional District of Utah. **Page H5929**

Whole Number of the House: The Speaker announced to the House that, in light of the administration of the oath to the gentlewoman from Utah, the whole number of the House is 435. **Page H5929**

Privileged Resolution—Intent to Offer: Representative Guest announced his intent to offer a privileged resolution (H. Res. 878) providing for the expulsion of Representative George Santos from the United States House of Representatives.

Pages H5930–31

Suspensions—Proceedings Postponed: The House debated the following measure under suspension of the rules. Further proceedings were postponed.

Requiring the Inspector General of the Small Business Administration to submit a quarterly report on fraud relating to certain COVID–19 loans: H.R. 4666, amended, to require the Inspector General of the Small Business Administration to submit a quarterly report on fraud relating to certain COVID–19 loans; and **Pages H5909–11**

Returning Erroneous COVID Loans Addressing Illegal and Misappropriated Taxpayer Funds Act: H.R. 4667, amended, to require the Administrator of the Small Business Administration to issue guidance and rules for lenders and the Small Business Administration on handling amounts of Paycheck Protection Loans returned by borrowers. **Pages H5911–13**

Senate Message: Message received from the Senate today appears on page H5907.

Quorum Calls—Votes: Two yea-and-nay votes developed during the proceedings of today and appear on pages H5928–30.

Adjournment: The House met at 12 p.m. and adjourned at 8:10 p.m.

Committee Meetings

PROTECTING OUR COMMUNITIES FROM FAILURE TO SECURE THE BORDER ACT OF 2023; NO FUNDS FOR IRANIAN TERRORISM ACT; PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF THE RULE SUBMITTED BY THE BUREAU OF CONSUMER FINANCIAL PROTECTION RELATING TO SMALL BUSINESS LENDING UNDER THE EQUAL CREDIT OPPORTUNITY

Committee on Rules: Full Committee held a hearing on H.R. 5283, the “Protecting our Communities from Failure to Secure the Border Act of 2023”; H.R. 5961, the “No Funds for Iranian Terrorism Act”; and S.J. Res. 32, providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Bureau of Consumer Financial Protection relating to Small Business Lending Under the Equal Credit Opportunity. The Committee granted, by a record vote of 9–4, a rule providing for consideration of H.R. 5283, the “Protecting our Communities from Failure to Secure the Border Act of 2023”, H.R. 5961, the “No Funds for Iranian Terrorism Act”, and S.J. Res. 32, Providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Bureau of Consumer Financial Protection relating to Small Business Lending Under the Equal Credit Opportunity Act (Regulation B). The rule provides for consideration of H.R. 5283, the “Protecting our Communities from Failure to Secure the Border Act of 2023”, under a structured rule. The rule waives all points of order against consideration of the bill. The rule provides one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on Natural Resources or their respective designees. The rule provides that an amendment in the nature of a substitute consisting of the text of Rules Committee Print 118–15 shall be considered as adopted, and the bill, as amended, shall be considered as read. The rule waives all points of order against provisions in the bill, as amended. The rule makes in order only those amendments printed in part A of the Rules Committee report accompanying the resolution. Each amendment shall be considered

only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question. All points of order against the amendments printed in part A of the report are waived. The rule provides one motion to recommit. The rule further provides for consideration of H.R. 5961, the “No Funds for Iranian Terrorism Act”, under a structured rule. The rule waives all points of order against consideration of the bill. The rule provides one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on Foreign Affairs or their respective designees. The rule provides that an amendment in the nature of a substitute consisting of the text of Rules Committee Print 118–14, modified by the amendment printed in part B of the Rules Committee report, shall be considered as adopted, and the bill, as amended, shall be considered as read. The resolution waives all points of order against provisions in the bill, as amended. The rule makes in order only those amendments printed in part C of the Rules Committee report accompanying the resolution. Each amendment shall be considered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question. All points of order against the amendments printed in part C of the report are waived. The rule provides one motion to recommit. The rule further provides for consideration of S.J. Res. 32, Providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Bureau of Consumer Financial Protection relating to Small Business Lending Under the Equal Credit Opportunity Act (Regulation B), under a closed rule. The rule waives all points of order against consideration of the joint resolution. The rule provides that the joint resolution shall be considered as read. The rule waives all points of order against provisions in the joint resolution. The rule provides one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services or their respective designees. Finally, the rule provides one motion to commit. Testimony was heard from Chairman Williams of Texas, and Representatives Waters and Edwards.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR WEDNESDAY, NOVEMBER 29, 2023

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Environment and Public Works: to hold hearings to examine the Water Resources Development Act of 2024, focusing on stakeholder feedback on U.S. Army Corps of Engineers project partnership agreements, 10 a.m., SD–406.

Committee on Foreign Relations: to receive a closed briefing on the US-PRC relationship after APEC, 2:30 p.m., SVC–217.

Committee on Homeland Security and Governmental Affairs: to hold hearings to examine the security of Federal facilities, 10 a.m., SD–562.

Committee on the Judiciary: to hold hearings to examine the nominations of Jacquelyn D. Austin, to be United States District Judge for the District of South Carolina, Jacqueline Becerra, Melissa Damian, and David Seymour Leibowitz, each to be a United States District Judge for the Southern District of Florida, Julie Simone Sneed, to be United States District Judge for the Middle District of Florida, and Kirk Edward Sheriff, to be United States District Judge for the Eastern District of California, 10 a.m., SD–226.

Select Committee on Intelligence: to receive a closed briefing on certain intelligence matters, 2:30 p.m., SH–219.

House

Committee on the Budget, Full Committee, hearing entitled “Examining the Need for a Fiscal Commission Reviewing H.R. 710, H.R. 5779, and S. 3262”, 10 a.m., 210 Cannon.

Committee on Education and Workforce, Subcommittee on Workforce Protections, hearing entitled “Bad for Business: DOL’s Proposed Overtime Rule”, 10:15 a.m., 2175 Rayburn.

Committee on Energy and Commerce, Subcommittee on Environment, Manufacturing, and Critical Materials, hearing entitled “America Leads the Way: Our History as the Global Leader at Reducing Emissions”, 10 a.m., 2123 Rayburn.

Subcommittee on Health, hearing entitled “Understanding How AI is Changing Health Care”, 10:30 a.m., 2322 Rayburn.

Committee on Financial Services, Full Committee, hearing entitled “The Semi-Annual Report of the Bureau of Consumer Financial Protection”, 10 a.m., 2128 Rayburn.

Committee on Foreign Affairs, Full Committee, markup on H.R. 6349, to prohibit or require notification with respect to certain activities of United States persons involving countries of concern, and for other purposes; H.R. 533, to amend the Tibetan Policy Act of 2002 to modify certain provisions of that Act; H.R. 2766, to support the

human rights of Uyghurs and members of other minority groups residing primarily in the Xinjiang Uyghur Autonomous Region and safeguard their distinct identity, and for other purposes; H.R. 5375, to require a strategy for bolstering engagement and cooperation between the United States, Australia, India, and Japan and to seek to establish a Quad Intra-Parliamentary Working Group to facilitate closer cooperation on shared interests and values; H.R. 1103, to require the President to remove the extension of certain privileges, exemptions, and immunities to the Hong Kong Economic and Trade Offices if Hong Kong no longer enjoys a high degree of autonomy from the People's Republic of China, and for other purposes; and H.R. 5532, to provide for the imposition of sanctions with respect to North Korea's support for Russia's illegal war in Ukraine, 10 a.m., HVC-210.

Committee on Homeland Security, Full Committee, hearing entitled “The High North: How U.S. Arctic Strategy Impacts Homeland Security”, 10 a.m., 310 Cannon.

Committee on Natural Resources, Subcommittee on Energy and Mineral Resources, hearing on H.R. 6285, the “Alaska’s Right to Produce Act of 2023”, 10:15 a.m., 1324 Longworth.

Committee on Oversight and Accountability, Subcommittee on Government Operations and the Federal Workforce, hearing entitled “Oversight of Federal Agencies’ Post-Pandemic Telework Policies: Part II”, 2 p.m., 2154 Rayburn.

Subcommittee on Cybersecurity, Information Technology, and Government Innovation, hearing entitled “Safeguarding the Federal Software Supply Chain”, 2 p.m., 2247 Rayburn.

Committee on Science, Space, and Technology, Full Committee, continue markup on H.R. 6213, the “National Quantum Initiative Reauthorization Act”; and H.R. 6131, the “Commercial Space Act of 2023”, 1:30 p.m., 2318 Rayburn.

Committee on Transportation and Infrastructure, Subcommittee on Railroads, Pipelines, and Hazardous Materials, hearing entitled “Getting on the Right Track: Navigating the Future of Intercity Passenger Rail in America”, 11 a.m., 2167 Rayburn.

Committee on Veterans’ Affairs, Subcommittee on Disability Assistance and Memorial Affairs, markup on H.R. 1753, the “Jax Act”; H.R. 3790, the “Justice for ALS Veterans Act of 2023”; H.R. 4016, the “Veteran Fraud Reimbursement Act”; H.R. 4190, the “Restoring Benefits to Defrauded Veterans Act”; H.R. 4306, the “Michael Lecik Military Firefighters Protection Act”; H.R. 5559, “Protecting Veterans Claim Options Act”; H.R. 5891, “Veteran Appeals Decision Clarity Act”; H.R. 5870, “Veteran Appeals Transparency Act of 2023”; H.R. 5890, the “Review Every Veterans Claim Act of 2023”; and H.R. 5938, the “Veterans Exam Expansion Act of 2023”, 10:30 a.m., 360 Cannon.

Subcommittee on Disability Assistance and Memorial Affairs, hearing entitled “Examining the VA Appeals Process: Ensuring High Quality Decision-Making for Veterans’ Claims on Appeal”, 11 a.m., 360 Cannon.

Committee on Ways and Means, Subcommittee on Work and Welfare; and Subcommittee on Oversight, joint hearing entitled “Strengthening the Child Support Enforcement Program for States and Tribes”, 2 p.m., 1100 Longworth.

Joint Meeting

Conference: meeting of conferees on H.R. 2670, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense and for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, 9:30 a.m., SD-G50.

Next Meeting of the SENATE
10 a.m., Wednesday, November 29

Senate Chamber

Program for Wednesday: Senate will continue consideration of the nomination of Micah W.J. Smith, of Hawaii, to be United States District Judge for the District of Hawaii, and vote on the motion to invoke cloture thereon at 11:30 a.m.

If cloture is invoked on the nomination of Micah W.J. Smith, Senate will vote on confirmation thereon at 2:30 p.m. Following disposition of the nomination, Senate will vote on the motion to invoke cloture on the nomination of Jamel Semper, of New Jersey, to be United States District Judge for the District of New Jersey.

If cloture is invoked on the nomination of Jamel Semper, Senate will vote on confirmation thereon at 5:45 p.m. Following disposition of the nomination, Senate will vote on the motion to invoke cloture on the nomination of Shanlyn A.S. Park, of Hawaii, to be United States District Judge for the District of Hawaii.

Next Meeting of the HOUSE OF REPRESENTATIVES
10 a.m., Wednesday, November 29

House Chamber

Program for Wednesday: Begin consideration of H.R. 5283—Protecting our Communities from Failure to Secure the Border Act of 2023 (Subject to a Rule).

Extensions of Remarks, as inserted in this issue

HOUSE

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