Thursday, December 22, 2022

Daily Digest

HIGHLIGHTS

Senate agreed to the motion to concur in the amendment of the House of Representatives to the amendment of the Senate to H.R. 2617, Consolidated Appropriations Act, with an amendment.

Senate

Chamber Action

Routine Proceedings, pages S10061–S10105

Measures Introduced: Three bills and two resolutions were introduced, as follows: S. 5355–5357, and S. Con. Res. 51–52. **Page S10092**

Measures Reported:

Report to accompany S. 3308, to authorize the Colorado River Indian Tribes to enter into lease or exchange agreements and storage agreements relating to water of the Colorado River allocated to the Colorado River Indian Tribes. (S. Rept. No. 117–286)

Report to accompany S. 4104, to approve the settlement of water rights claims of the Hualapai Tribe and certain allottees in the State of Arizona, to authorize construction of a water project relating to those water rights claims. (S. Rept. No. 117–287) **Page S10092**

Measures Passed:

Enrollment Correction: Senate agreed to S. Con. Res. 51, providing for a correction in the enrollment of H.R. 2617. **Page S10098**

Further Additional Continuing Appropriations and Extensions Act: Senate passed H.R. 4373, making further continuing appropriations for the fiscal year ending September 30, 2023, after the motion to invoke cloture on the motion to proceed to consideration of the bill was rendered moot, and agreeing to the following amendment proposed thereto: **Page S10098**

Schumer (for Leahy) Amendment No. 6623, in the nature of a substitute. **Page S10098**

Enrollment Correction: Senate agreed to S. Con. Res. 52, providing for a correction in the enrollment of H.R. 4373. **Pages S10098–99**

Justice for the Living Victims of Lockerbie Act: Senate passed S. 5357, to provide compensation for United States victims of Libyan state-sponsored terrorism. **Page S10099**

Nuclear Weapons Program Workers Day of Remembrance: Committee on the Judiciary was discharged from further consideration of S. Res. 785, designating October 30, 2022, as a national day of remembrance for the workers of the nuclear weapons program of the United States, and the resolution was then agreed to. **Page S10099**

Sami's Law: Senate passed H.R. 1082, to study the incidence of fatal and non-fatal assaults in TNC and for-hire vehicles in order to enhance safety and save lives, after agreeing to the following amendments proposed thereto: **Pages S10099–S10100**

Schumer (for Wicker) Amendment No. 6624, in the nature of a substitute. **Page S10100**

Schumer (for Wicker) Amendment No. 6625, to amend the title. **Page S10100**

Save Our Seas 2.0 Amendments Act: Senate passed S. 4321, to amend the Save Our Seas 2.0 Act to improve the administration of the Marine Debris Foundation, to amend the Marine Debris Act to improve the administration of the Marine Debris Program of the National Oceanic and Atmospheric Administration, after withdrawing the committee amendment in the nature of a substitute, and agreeing to the following amendment proposed thereto: **Pages S10100–02**

Schumer (for Sullivan) Amendment No. 6626, in the nature of substitute. **Page S10101**

Supply Chain Disruptions Relief Act: Committee on Finance was discharged from further consideration of S. 4105, to treat certain liquidations of new motor vehicle inventory as qualified liquidations of LIFO inventory for purposes of the Internal Revenue Code of 1986, and the bill was then passed. **Page S10102**

Root and Stem Project Authorization Act: Senate passed S. 3046, to codify the authority of the Secretary of Agriculture and the Secretary of the Interior to conduct certain landscape-scale forest restoration projects, after agreeing to the committee amendment in the nature of a substitute.

Pages S10102–03

Land Grant-Mercedes Traditional Use Recognition and Consultation Act: Senate passed S. 2708, to provide for greater consultation between the Federal Government and the governing bodies and community users of land grant-mercedes in New Mexico, to provide for a process for recognition of the historic-traditional uses of land grant-mercedes.

Pages S10103–04

Exclude Certain Payments: Senate passed S. 2524, to amend the Alaska Native Claims Settlement Act to exclude certain payments to aged, blind, or disabled Alaska Natives or descendants of Alaska Natives from being used to determine eligibility or certain programs. **Page S10104**

Fission for the Future Act: Committee on Energy and Natural Resources was discharged from further consideration of S. 3428, to require the Secretary of Energy to establish a Nuclear Fuel Security Program, expand the American Assured Fuel Supply Program, and submit a report on a civil nuclear credit program, and the bill was then passed, after agreeing to the following amendments proposed thereto:

Page S10104

Schumer (for Manchin) Amendment No. 6627, in the nature of a substitute. **Page S10104**

Schumer (for Manchin) Amendment No. 6628, to amend the title. **Page S10104**

Rock Boucher Amphitheater: Committee on Energy and Natural Resources was discharged from further consideration of S. 3873, to designate the outdoor amphitheater at the Blue Ridge Music Center in Galax, Virginia, as the ''Rock Boucher Amphitheater'', and the bill was then passed.

Pages S10104–05

Measures Failed:

Emergency Supplemental Appropriations for Disaster Relief: By 22 yeas to 73 nays (Vote No. 407), Senate failed to pass S. 5355, making emergency supplemental appropriations for disaster relief for the fiscal year ending September 30, 2023.

Page S10065

House Messages:

Consolidated Appropriations Act: By 68 yeas to 29 nays (Vote No. 421), Senate agreed to the motion to concur in the amendment of the House to the amendment of the Senate No. 4 to H.R. 2617, making consolidated appropriations for the fiscal year ending September 30, 2023, and for providing emergency assistance for the situation in Ukraine, with Schumer (for Leahy) Amendment No. 6552, in the nature of a substitute, by the order of the Senate of Thursday, December 22, 2022, 60 Senators having voted in the affirmative, and after taking action on the following motions and amendments proposed thereto: **Pages S10062–65, S10065–77**

Adopted:

Schumer (for Lee) Amendment No. 6576 (to Amendment No. 6552), to provide for the continuation of pay and benefits for Lieutenant Ridge Alkonis. **Page S10069**

By 73 yeas to 24 nays (Vote No. 416), Schumer (for Cassidy/Casey) Amendment No. 6558 (to Amendment No. 6552), to eliminate discrimination and promote women's health and economic security by ensuring reasonable workplace accommodations for workers whose ability to perform the functions of a job are limited by pregnancy, childbirth, or a related medical condition. (A unanimous-consent agreement was reached providing that the amendment, having achieved 60 affirmatives votes, be agreed to.) **Pages S10070–71**

Schumer (for Padilla/Cornyn) Amendment No. 6588 (to Amendment No. 6552), to amend title VI of the Social Security Act to allow States and local governments to use coronavirus relief funds provided under the American Rescue Plan Act for infrastructure projects, improve the Local Assistance and Tribal Consistency Fund, provide Tribal governments with more time to use Coronavirus Relief Fund payments. (A unanimous-consent agreement was reached providing that the requirement of a 60 affirmative vote threshold, be vitiated.) **Pages S10071–72**

Schumer (for Graham/Whitehouse) Modified Amendment No. 6596 (to Amendment No. 6552), to authorize the transfer of the proceeds of certain forfeited property to help Ukraine recover from the harms caused by the ongoing Russian aggression. (A unanimous-consent agreement was reached providing that the requirement of a 60 affirmative vote threshold, be vitiated.) **Page S10072**

By 92 yeas to 5 nays (Vote No. 417), Schumer (for Merkley/Murkowski) Amendment No. 6595 (to Amendment No. 6552), to amend the Fair Labor Standards Act of 1938 to expand access to breastfeeding accommodations in the workplace. (A unanimous-consent agreement was reached providing that the amendment, having achieved 60 affirmatives votes, be agreed to.) **Pages S10072–73**

By 88 yeas to 8 nays (Vote No. 418), Schumer (for Klobuchar/Lee) Amendment No. 6597 (to Amendment No. 6552), relating to merger filing fee modernization. (A unanimous-consent agreement was

reached providing that the amendment, having achieved 60 affirmatives votes, be agreed to.) **Page S10073**

By 90 yeas to 6 nays (Vote No. 419), Schumer (for Gillibrand) Modified Amendment No. 6607 (to Amendment No. 6552), to establish a World Trade Center Health Program Supplemental Fund. (A unanimous-consent agreement was reached providing that the amendment, having achieved 60 affirmatives votes, be agreed to.) **Pages S10073–74**

By 93 yeas to 4 nays (Vote No. 420), Schumer (for Menendez) Amendment No. 6617 (to Amendment No. 6552), to improve the Justice for the United States Victims of State Sponsored Terrorism Act. (A unanimous-consent agreement was reached providing that the amendment, having achieved 60 affirmatives votes, be agreed to.) **Pages S10074–75**

Rejected:

By 34 yeas to 63 nays (Vote No. 409), Schumer (for Paul) Amendment No. 6561 (to Amendment No. 6552), to increase the voting threshold for budget points of order. (A unanimous-consent agreement was reached providing that the amendment, having failed to achieve 60 affirmative votes, was not agreed to.) **Page S10066**

By 34 yeas to 63 nays (Vote No. 410), Schumer (for Johnson) Amendment No. 6555 (to Amendment No. 6552), to eliminate all earmarks in the bill. **Page S10067**

By 47 yeas to 50 nays (Vote No. 411), Schumer (for Johnson) Amendment No. 6559 (to Amendment No. 6552), to restrict the use of Federal funds appropriated to the Department of Homeland Security for the transportation of illegal aliens within the United States. (A unanimous-consent agreement was reached providing that the amendment, having failed to achieve 60 affirmative votes, was not agreed to.) **Page S10067–68**

By 10 yeas to 87 nays (Vote No. 412), Schumer (for Sinema/Tester) Amendment No. 6621 (to Amendment No. 6552), to appropriate amounts for the Executive Office for Immigration Review, U.S. Customs and Border Protection, U.S. Immigration and Customs Enforcement, the Federal Emergency Management Agency, U.S. Citizenship and Immigration Services, refugee and entrant assistance, and other Federal agencies. (A unanimous-consent agreement was reached providing that the amendment, having failed to achieve 60 affirmative votes, was not agreed to.) **Page S10068**

By 47 yeas to 50 nays (Vote No. 413), Schumer (for Lee) Amendment No. 6563 (to Amendment No. 6552), to prohibit the expenditure of Federal funds to terminate the prohibitions on entry into the United States that are commonly referred to as Title 42. **Pages S10068–69**

By 44 yeas to 53 nays (Vote No. 414), Schumer (for Lankford) Amendment No. 6577 (to Amendment No. 6558), to establish a rule of construction relating to religious entities. **Pages S10069–70**

By 40 yeas to 57 nays (Vote No. 415), Schumer (for Braun) Amendment No. 6569 (to Amendment No. 6558), to eliminate a waiver of State immunity. (A unanimous-consent agreement was reached providing that the amendment, having failed to achieve 60 affirmative votes, was not agreed to.) **Page S10070**

Withdrawn:

Schumer motion to refer the message of the House on the bill to the Committee on Appropriations, with instructions, Schumer Amendment No. 6572, to add an effective date. **Page S10062**

Schumer Amendment No. 6571 (to Amendment No. 6552), to add an effective date. **Page S10062**

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

By 65 yeas to 31 nays (Vote No. 408), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to waive all applicable sections of the Congressional Budget Act of 1974 and any other applicable budget points of order for purposes of Schumer (for Leahy) Amendment No. 6552 (listed above). Subsequently, the point of order that the measure contains matter in Division O, Title X, section 1001(d) that relates to the operation of the Statutory Pay-As-You-Go Act of 2010, which is matter within the jurisdiction of the Committee on the Budget, and that the measure was neither reported nor discharged from the Committee on the Budget, was not sustained, and thus the point of order fell. **Pages S10062–65, S10065–77**

Schumer Amendment No. 6573 (to the instructions (Amendment No. 6572) of the motion to refer), to modify the effective date, fell when Schumer motion to refer the message of the House on the bill to the Committee on Appropriations, with instructions, Schumer Amendment No. 6572 (listed above) was withdrawn. **Page S10062**

Schumer Amendment No. 6574 (to Amendment No. 6573), to modify the effective date, fell when Schumer Amendment No. 6573 (to the instructions (Amendment No. 6572) of the motion to refer) (listed above) fell. **Page S10062**

Appointments:

National Advisory Committee on Institutional Quality and Integrity: The Chair, on behalf of the President pro tempore, pursuant to the provisions of Public Law 110–315, announced the re-appointment of the following individual to be a member of the National Advisory Committee on Institutional Quality and Integrity: Michael Poliakoff of Virginia. **Page S10099**

Pro Forma Sessions—Agreement: A unanimous-consent agreement was reached providing that the Senate adjourn, to then convene for pro forma sessions only, with no business being conducted on the following dates and times: Friday, December 23, 2022, at 11 a.m.; Tuesday, December 27, 2022, at 5:30 p.m.; Friday, December 30, 2022, at 9:30 a.m.; Tuesday, January 3, 2023, at 11:30 a.m.; that following the Tuesday, January 3, 2023, pro forma, Senate convene at 12 noon, pursuant to the Constitution; and that Senate present the certificates of election, swear-in elected Members, and proceed to the required live quorum. **Page S10105**

Nominations Confirmed: Senate confirmed the following nominations:

By 70 yeas to 22 nays (Vote No. EX. 406), Franklin R. Parker, of the District of Columbia, to be an Assistant Secretary of the Navy.

Pages S10061–62

Jose Emilio Esteban, of California, to be Under Secretary of Agriculture for Food Safety.

Rebecca E. Jones Gaston, of Oregon, to be Commissioner on Children, Youth, and Families, Department of Health and Human Services.

Terrence Edwards, of Maryland, to be Inspector General of the National Reconnaissance Office. (Prior to this action, Committee on Homeland Security and Governmental Affairs was discharged from further consideration.)

Douglas J. McKalip, of the District of Columbia, to be Chief Agricultural Negotiator, Office of the United States Trade Representative, with the rank of Ambassador.

Milancy Danielle Harris, of Virginia, to be a Deputy Under Secretary of Defense. **Page S10105**

Messages from the House: **Pages S10090–92**

Additional Cosponsors: **Page S10092**

Statements on Introduced Bills/Resolutions: **Page S10092**

Additional Statements: **Pages S10089–90**

Amendments Submitted: **Pages S10093–97**

Record Votes: Sixteen record votes were taken today. (Total—421)

Pages S10061–62, S10065–71, S10073–75, S10077

Adjournment: Senate convened at 8 a.m. and adjourned at 6:06 p.m., until 11 a.m. on Friday, December 23, 2022. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S10105.)

Committee Meetings

(Committees not listed did not meet)

No committee meetings were held.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 20 public bills, H.R. 9670–9689; and 1 resolution, H. Res. 1530, were introduced. **Page H10055**

Additional Cosponsors: **Page H10056**

Reports Filed: Reports were filed today as follows:

Select Committee on Climate Crisis. Report on the Activities of the Select Committee on the Climate Crisis During the One Hundred and Seventeenth Congress (H. Rept. 117–662); and

Select Committee to Investigate the January 6th Attack on the United States Capitol. Final Report Select Committee to Investigate the January 6th Attack on the United States Capitol (H. Rept. 117–663). **Page H10055**

Suspensions: The House agreed to suspend the rules and pass the following measures: Katimiîn and Ameekyáaraam Sacred Lands Act: S. 4439, to take certain Federal land located in Siskiyou County, California, and Humboldt County, California, into trust for the benefit of the Karuk Tribe;

Pages H10009–10

Butterfield Overland National Historic Trail Designation Act: S. 3519, to amend the National Trails System Act to designate the Butterfield Overland National Historic Trail; **Pages H10010–11**

Amending the Farm Security and Rural Investment Act of 2002 to extend terminal lakes assistance: S. 5328, to amend the Farm Security and Rural Investment Act of 2002 to extend terminal lakes assistance; **Pages H10011–12**

Justice for Victims of War Crimes Act: S. 4240, to amend section 2441 of title 18, United States Code, to broaden the scope of individuals subject to prosecution for war crimes; **Pages H10012–13**