

The United Nations General Assembly convened in person in New York for the first time since the onset of the COVID-19 pandemic. The mid-term elections are only weeks away. Following the mid-terms, Congress will return to a busy agenda. The United States Supreme Court has started a new term and is slated to hear several controversial cases. The Federal Reserve continues an aggressive monetary policy in an attempt to tame inflation. The administration released the long-awaited National Security Strategy and President Joe Biden convened the first-ever U.S.-Pacific Islands Summit. Biden signed executive orders limiting China's access to semiconductor technology and implementing the EU-U.S. data protection framework.

(Many) World Leaders Descend on New York

World leaders (and gridlock) returned to New York for the 77th Session of the United Nations General Assembly (UNGA). In opening the General Assembly, UN Secretary-General António Guterres cast a gloomy tone saying, **“Our world is in big trouble,”** and that world leaders should have “no illusions” about the challenges. Guterres said, “we have a duty to act,” yet “we are gridlocked in colossal global dysfunction.” From the lingering difficulties of the COVID-19 pandemic (which has caused over 6.5 million deaths and is still infecting nearly 200,000 people a day) to the global food crisis and fertilizer market crunch and the climate emergency and biodiversity loss to the war in Ukraine, there is no shortage of complicated challenges for the international system to address but progress on all these issues is being held hostage by geopolitical tensions.

President Biden appeared before the General Assembly on September 21 and devoted a significant portion of his remarks to the challenge posed by Russia, who **“shamelessly violated the core tenets of the United Nations Charter”** by invading Ukraine. Biden's remarks came just hours after Russian President Vladimir Putin announced a partial military mobilization, calling up as many as 300,000 army reservists. While Russia loomed large in Biden's address, there were other noteworthy elements: Biden called for reforms to the UN Security Council to make it more inclusive; he directly stated that “We do not seek a cold war” with China; the President reaffirmed his administration's support for a two-state solution to the Israeli-Palestinian conflict; and he pledged that Washington will not let Iran obtain a nuclear weapon. While in New York, Biden held separate meetings with several world leaders, including **Prime Minister Kishida of Japan; President Ferdinand Marcos Jr. of the Philippines; President Emmanuel Macron of France; Prime Minister Liz Truss of the United Kingdom;** and **President Yoon Suk Yeol of the Republic of Korea.** There were also some noticeable absences from the events in New York—President Putin and President Xi Jinping of China did not attend, and President Volodymyr Zelensky of Ukraine provided a recorded speech.

The Mid-terms Fast Approach

We are less than one month from the mid-term elections on November 8, and early voting is already underway in several states. In the current Congress, Democrats hold a 220 to 212 majority in the House (there are currently three vacancies) and a 50-50 split in the Senate (enjoying a majority with Vice President Kamala Harris' tie-breaking vote).

The latest election modeling suggests that Republicans are slightly favored to win the House. According to [Politico](#), 150 seats are considered “solid Democratic,” 22 “likely Democratic,” and 26 seats are “lean Democratic.” For Republicans, 159 seats are “solid,” 25 are “likely,” and 17 seats are “lean,” leaving 26 seats in the “toss-up” category. The [Economist Election Model](#) finds that there are 91 competitive districts, and Republicans are slightly favored to gain a majority in the House. Forecasting a Republican Majority agenda, in September, House Minority Leader Kevin McCarthy (R-CA), likely the future Speaker of the House in a Republican majority, issued the [“Commitment to America,”](#) his 2022 campaign agenda, which provides a roadmap on how they would govern. On the economy, Leader McCarthy’s agenda focuses on inflation, high gas prices, and supply chain issues. The manifesto also focuses on crime and immigration, and Republicans vow to “secure the Southern border,” “reduce crime and stop Fentanyl,” and “defend our national security.” The “Commitment to America” promises to “personalize health care” and “lower prices through choice and transparency,” but there is no mention of how this would be implemented, nor is there any mention of possible Republican efforts to repeal the Affordable Care Act, as they did many times when they last held the majority. The final section emphasizes the oversight activities Republicans are promising next year, including a pledge to “ensure safe and fair elections.”

The battle for the United States Senate is much tighter. Thirty-five seats are “in cycle,” and the [Politico](#) model considers the race for the Senate to be a “toss-up.” Republicans hold 21 seats and Democrats are protecting 14 seats—of those, 10 fall in the “lean Democratic,” “lean Republican,” or “toss-up” categories. The [Economist Election Model](#) predicts that Democrats will likely keep their majority in the Senate. Control of the upper chamber will come down to races in Georgia, Nevada, and Arizona, where Democrats are trying to fend off Republican challengers, and Pennsylvania, and Wisconsin, where Republicans are defending one incumbent and trying to save an open seat.

Beyond the control of Congress, voters in several states will consider important ballot measures concerning some of the country’s most prominent policy questions. Following the *Dobbs* decision, where the Supreme Court overturned the landmark *Roe v Wade* ruling and stripped away women’s constitutional protections for abortion, the people of [Kansas](#) surprisingly and soundly rejected a proposed amendment in August that would have stripped abortion protections from the state constitution. [Several additional states](#) are set to decide on questions of reproductive rights in November. California and Vermont are weighing proposed constitutional amendments that would enshrine reproductive rights into their state constitutions. Similarly, Michigan voters will decide whether to enshrine the right to have an abortion into the state constitution. In contrast, voters in Kentucky will consider whether to amend the state constitution to make clear that there are no protections for abortion rights in the state. Arkansas, Maryland, Missouri, North Dakota, and South Dakota will vote on measures concerning whether to [legalize recreational marijuana](#). There are election reform ballot measures under consideration in several states: [Nevada](#) could move closer to instituting a ranked-choice voting system; [Connecticut](#) is considering whether the state should allow no-excuse early voting; [Nebraska](#) may add a voter ID requirement to the state constitution; [Arizona](#) has several measures on the ballot related to voter ID and mail-in ballot policies.

Congress Faces a Busy Lame-Duck Following the Mid-Terms

Members of the 117th Congress will return to Washington on November 14, following the mid-term elections, for “an extremely — underline extremely — busy agenda in the last two months of this Congress,” according to Senate Majority Leader Chuck Schumer (D-NY). The most pressing issue members of Congress will have to deal with is appropriations. In late September, Congress sent a [temporary spending measure](#) (continuing resolution, or CR) to President Biden to keep the government funded through December 16. Congress must negotiate an annual spending bill that will run through the rest of the fiscal year or pass another continuing resolution to avoid a government shutdown and ensure programs are funded through the holiday season. In the wake of Hurricane Ian, Florida will need significant federal aid—a supplemental disaster assistance package could be added to an omnibus appropriations measure or considered as a stand-alone bill. More military aid for Ukraine, [flood insurance renewal](#) and annual [extensions of targeted tax breaks](#) could also be added to the spending bill.

Leader Schumer has committed to Senators to bring a marriage equality measure to the floor. The House passed [legislation](#) to codify the right to same-sex and interracial marriage in July. Senate insiders say that Schumer decided to wait until after the election to garner more Republican support for the measure and release some political pressure. The Senate is also expected to consider [legislation to reform the Electoral Count Act of 1887](#) to make it harder to decertify presidential electors, clarify the vice president’s role in the certification process as ceremonial, and minimize opportunities to send Congress competing electoral slates.

Congress must also pass the National Defense Authorization Act (NDAA), the annual defense policy bill. The NDAA is a relatively rare example of bipartisanship in Congress. It has been passed for 60 straight years, making it a popular vehicle for attaching legislation that has little to do with defense. During a rare mid-recess day in session, on October 11 [Senators agreed](#) to attach a number of other measures to the NDAA: reauthorizations for the State Department, Coast Guard and Intelligence community, as well as a massive [water resources bill](#). Finally, if Democrats lose the Senate, they’ll face enormous pressure to confirm as many judicial nominees as possible to lifetime appointments.

The Supreme Court Opens a Historic Term

In early October, the United States Supreme Court opened a new nine-month term. The current composition of the Court is historic, there is the largest contingent of females on the bench in American history (four) and an African American woman sitting on the Court for the first time. This is also the first time since the onset of the COVID-19 pandemic where justices will hear oral arguments live in the courtroom. Conservative justices currently hold a six-to-three supermajority with Chief Justice Roberts and Associate Justices Samuel Alito, Amy Coney Barrett, Neil Gorsuch, Brett Kavanaugh, and Clarence Thomas, making up the conservative majority with the liberal block comprised of three female jurists, Associate Justices Ketanji Brown Jackson, Elena Kagan, and Sonia Sotomayor. The Court gavels in at a time of decreased trust and credibility for the judicial branch, broadly, and the Supreme Court, specifically, as the Court is increasingly seen as a partisan arm of government.

The previous term was marked by controversial decisions on abortion, gun rights, and the power of regulatory agencies. Justices are preparing to wade into a several other **contentious issues** this term—including voting rights, affirmative action, and the rights of members of the LGBTQ+ community. Below are some of the cases the Court has agreed to hear before the current term ends in late June 2023, with more cases likely to be added over the coming months:

- Voting Rights – The Court will hear at least two cases related to voting rights during the current term. The first, **Merrill v. Milligan**, could limit the ability of communities of color to use the Voting Rights Act to fight discriminatory electoral maps. **The second voting rights case** comes out of North Carolina and revolves around the so-called “Independent State Legislature” theory—this could have vast implications, with Republicans asking the justices to void the ability of state courts to review election laws under their states’ constitutions.
- Environmental Protections – **Sackett v. Environmental Protection Agency** is a challenge to the Clean Water Act that could change the rules for millions of acres of property that contain wetlands and have widespread implications for how the Environmental Protection Agency combats water pollution.
- College Admissions – Justices will hear two cases related to affirmative action in college admissions in November, **Students for Fair Admissions Inc. v. President & Fellows of Harvard College** and **Students for Fair Admissions v. University of North Carolina**. The petitioners want the justices to rule that colleges and universities cannot use race as a factor in admissions. This could result in the end of any consideration of race in college admissions.
- LGBTQ+ Rights – **303 Creative LLC v. Elenis** involves a Colorado graphic designer who wants to expand her business but have the ability to decline any request from a same-sex couple to design a wedding website, contending that it violates her Christian beliefs. Justices will have to address questions related to religion, free speech, and the rights of members of the LGBTQ+ community.
- Native American Adoption – The Court will hear a challenge to the Indian Child Welfare Act in **Haaland v. Brackeen** and review a federal law that gives Native Americans preference in adoptions of native children.

The Fed’s Continued Inflation Fight, More Rate Hikes Expected

Inflation accelerated for the second-straight month, the latest **consumer price index (CPI)** rose 0.4 percent in September and 8.2 percent over the past 12 months, demonstrating that the challenge of taming inflation continues to vex the policymakers. In a speech at the National Association for Business Economics Annual Meeting in Chicago, Illinois in October Federal Reserve Vice Chair Lael Brainard said **“Inflation is high in the United States and around the world reflecting the lingering imbalance between robust demand and constrained supply caused by the pandemic and Russia’s war against Ukraine.”** In an effort to cool the economy and address inflation, the Fed has **raised interest rates on several occasions** since March—increasing the baseline interest rate range from 0 to 0.25 percent to **3.00 to 3.25** percent in a series of rate hikes through September, the highest rates have been since early 2008. In announcing the latest rate increase, Fed Chairman Jerome Powell said that **“inflation is going to remain high for some time.”** Another increase, likely a 0.75-point move, is expected after the next Federal Open Market Committee meeting in early November. While the rate increases are

intended to slow the economy down, they have, in turn, led to higher borrowing costs across the economy. A robust employment market is also complicating matters. The decline in the unemployment rate, now down to 3.5%, the lowest in fifty years, means that there is a diminished pool of people seeking jobs which pressures employers to offer higher pay. Businesses will then pass some of those higher costs onto consumers, thereby increasing prices and feeding inflation.

Administration Releases National Security Strategy

On October 12 the White House released the long-awaited [National Security Strategy \(NSS\)](#). The administration released its [“Interim National Security Strategic Guidance”](#) in March, 2021 and transmitted a classified version of the [National Defense Strategy](#) to Congress in March of this year. The NSS was expected earlier this year but was delayed in light of Russia’s invasion of Ukraine, with officials uncertain how that development might shift the administration’s priorities and planning. National Security Advisor Jake Sullivan said the NSS seeks to address two major challenges: competition between major powers and transnational challenges like climate change, food insecurity and infectious diseases. The Strategy states that main challenge for the United States over the coming years would be “outcompeting China and restraining Russia.” Russia poses an immediate threat as Moscow is “recklessly flouting the basic laws of the international order,” while China is identified as “America’s most consequential geopolitical challenge” and “the only competitor with both the intent to reshape the international order and, increasingly, the economic, diplomatic, military, and technological power to advance that objective.” In addition, the NSS calls for investments in emerging technologies and modernizing the U.S. military. It also states that there must be renewed focus on trade and shared technology among allies and partners in Europe and the Indo-Pacific region.

White House Convenes Summit with Pacific Island Nations, Unveils First-Ever Strategy for the Region

In late September, the White House convened a historic [summit](#) of Pacific Island nations (Cook Islands, Federated States of Micronesia, Fiji, French Polynesia, Nauru, New Caledonia, Palau, Papua New Guinea, Republic of the Marshall Islands, Samoa, Solomon Islands, Tonga, Tuvalu, Vanuatu) and other key observers to discuss areas of shared interest. Over the last six months, the Biden administration has sought to strengthen ties—sending multiple [high-level delegations](#) to the region, elevating the status of its engagement, and promising more resources. The Summit comes amid growing concern that China is making inroads in the strategic region, increasing its influence and ability to project power. The summit came in tandem with the release of the first-ever [Pacific Partnership Strategy](#), which provides a framework for U.S. engagement with the region. At the conclusion of the Summit, the United States and 14 Pacific Island nations signed a broad [partnership agreement](#) putting climate change, economic growth, and stronger security ties at the center of renewed and expanded engagement. According to a White House [fact sheet](#), the United States will invest more than \$810 million in expanded programs for the region, in addition to the more than \$1.5 billion provided in the past decade. Much of the money will be dedicated to climate resilience and maritime security.

New Executive Order Limits China's Access to Semiconductor Technology

The Biden administration released an executive order designed to restrict the sale of semiconductor technology to China. The [new rules](#), released by the Department of Commerce Bureau of Industry and Security (BIS), are intended to limit China's access to semiconductors and equipment used to make them in order to slow the progress of Chinese military programs. Experts say the rules appeared to impose the broadest export controls issued in a decade. Under the new rules, companies will no longer be allowed to supply advanced computing chips, chip-making equipment, and other products to China unless they receive a special license (most of which will likely be denied). The Biden administration and Congress have been taking a tougher line on China, and one can expect additional actions to reign in Beijing's technological capabilities from the Hill and the administration before the year's end.

Biden Sign's Order Implementing EU-US Data Privacy Framework

On October 7, President Biden signed an [executive order](#) to implement EU-U.S. data privacy framework (DPF). Biden and European Commission President von der Leyen announced the [framework](#) in March 2022. This new framework will provide greater certainty for companies that transfer personal data from the EU to the U.S. The executive order includes new safeguards to address concerns raised by the Court of Justice of the EU, narrows the scope of intelligence gathering to "validated intelligence priorities," and establishes a Data Protection Review Court. Next, the European Commission (EC) will prepare a draft adequacy decision and launch the adoption process. The [adoption process](#), which will likely take four to five months, has several components, including an approval process by a select committee of representatives of EU Member States and potential scrutiny by the European Parliament.

Personnel Updates

Department of Commerce – **Mark L. Keam** is deputy assistant secretary for travel and tourism.

Department of Defense – **Ronald T. Keohane** is the nominee for assistant secretary manpower and reserve affairs.

Department of Energy – **Jeffrey M. "Jeff" Marootian** is a senior advisor in the office of the assistant secretary for energy efficiency and renewable energy.

Department of Health and Human Services – **Robert Michael Gordon** was confirmed as assistant secretary for financial resources.

Department of Homeland Security – **Christian L. MacMillan** is director of strategic engagement. **Nicholas J. "Nick" Rasmussen** is the counterterrorism coordinator.

Department of Labor – **Lisa M. Gomez** was confirmed as assistant secretary of Labor for the Employee Benefits Security Administration.

Department of State – **Ambassador Nina Hachigian** is now Special Representative for Subnational Diplomacy and will lead a newly established Unit for Subnational Diplomacy. **Ambassador Pamela Hamamoto** will lead U.S. negotiations for the proposed global pandemic accord at the World Health Organization (WHO). The following Ambassadors have been confirmed: **Robert Wood** as Alternate U.S. Representative for Special Political Affairs at the United States Mission to the United Nations; **Randy William Berry** for Namibia; **Hugo F. Rodriguez, Jr.** for the Republic of Nicaragua; **Mari Carmen Aponte** for Panama; **Candace A. Bond** for the Republic of Trinidad and Tobago; **Lesslie Viguerie** for the Kyrgyz Republic; **Michelle Kwan** to Belize. The following Ambassadorial nominations have been transmitted to the Senate: **Lynne M. Tracy** for the Russian Federation; **B. Bix Aliu** for Montenegro; **Martina Anna Tkadlec Strong** for the United Arab Emirates; **Roger F. Nyhus** for Barbados; **Nate Fick** as Ambassador-at-Large for Cyberspace and Digital Policy.

Office of the United States Trade Representative – **Ariel H. Dorsey** is director for innovation and intellectual property.

White House – **Dr. Arati Prabhakar** was confirmed as Director of the Office of Science and Technology Policy. **Jamison R. “Jamie” Citron** is now special assistant to the President and principal deputy director of the Office of Public Engagement. **Emma “Emmy” Ruiz** is now assistant to the President and director of political strategy and outreach. **Sydney A. Harvey** is now special assistant for infrastructure implementation. **Michael A. Negron** is now special assistant to the President for economic policy at National Economic Council. **Kristina L. Costa** is deputy assistant to the President for clean energy innovation and implementation. **Vanessa Valdivia** is now press secretary for the First Lady.