

Beltway Buzz, January 10, 2025

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Welcome to the 119th Congress. Even before President-elect Donald Trump is sworn in on January 20, 2025, change has come to Washington, D.C., as the 119th Congress gavelled in late last week. Here is what the *Buzz* is watching as the new Congress kicks off:

- *A Trifecta? Yes, but ...* Republicans control the White House, as well as the U.S. Senate and U.S. House of Representatives, but that doesn't mean that getting legislation to President-elect Trump's desk is going to be easy. In the Senate, Republicans hold a 53–47 majority, with Vice President-elect J.D. Vance as the potential tiebreaking vote. This is seven votes short of a filibuster-proof majority, meaning that most partisan bills will have a hard time getting through the Senate. Moreover, in the House, Republicans hold a 219–215 majority. This razor-thin majority will get even thinner, as President-elect Trump has promised to nominate Representative Elise Stefanik (R-NY) as ambassador to the United Nations and Representative Mike Waltz (R-FL) as national security adviser. Depending on the timing of confirmations and special elections, this could mean that Republicans won't be able to lose a single vote on any bill.
- *Get Ready for Reconciliation.* Because Republicans are unlikely to sway at least seven Democrats to join them in voting for most bills, they will likely turn to the arcane budgetary process called reconciliation to advance their policy priorities. Ostensibly reserved for budgetary matters, the [reconciliation process](#) has the advantage of only needing a majority vote in the U.S. Senate. The drawback of the process is that because it is a budgetary tool, issues contained in such a bill must be fiscally related. Over recent years both Democrats (Affordable Care Act, American Rescue Plan Act, the Inflation Reduction Act) and Republicans (Tax Cuts and Jobs Act) have used the process to secure legislative victories. So, while this process could be used by Republicans to score wins on certain policy positions (e.g., tax cuts), they will not be able to use reconciliation to pass every legislative priority.
- *"Must-Pass" Legislation.* As always, there are annual legislative exercises that must be addressed by Congress. Funding the federal government beyond the current March 14, 2025, deadline and lifting or suspending the debt limit will be major issues that Congress will have to address in the coming weeks and months. This could take time and attention away from other matters, such as the confirmation of political nominees.
- *Nominations.* Speaking of nominations, the *Buzz* will be watching the confirmation process for putative secretary of labor nominee Lori Chavez-DeRemer. We will also be monitoring vacancies at the National Labor Relations Board and U.S. Equal Employment Opportunity Commission (as well as potential vacancies in the general counsel's office at each of these

agencies). The early rounds of confirmation hearings are usually reserved for high-profile cabinet-level positions such as secretary of state, secretary of the treasury, and attorney general.

- *Other Legislation.* The *Buzz* will be watching for the reintroduction of the [Dismantle DEI Act](#). The bill is unlikely to pass the Senate, but it could be the subject of congressional hearings.

Ports Strike Averted. This week, the International Longshoremen's Association (ILA) and the group representing shippers and employers at East Coast and Gulf Coast ports announced a tentative agreement on a new six-year collective bargaining agreement, avoiding a potential strike. *Buzz* readers may recall that the parties have been negotiating over the introduction of automation technology at the ports. According to a joint statement released by the parties, the "agreement protects current ILA jobs and establishes a framework for implementing technologies that will create more jobs while modernizing East and Gulf coast ports—making them safer and more efficient, and creating the capacity they need to keep our supply chains strong." ILA members must still vote to ratify the contract.

Fed Contracting Agency Withdraws Salary History and Transparency Rule. On January 8, 2025, the Federal Acquisition Regulatory Council (FAR Council) [withdrew](#) its January 30, 2024, proposed rule that would have prohibited federal contractors from considering an applicant or employee's salary history when making compensation decisions. The proposal also would have required federal contractors to disclose compensation information in advertisements for job openings in connection with a federal contract. The FAR Council stated that "[i]n light of the limited time remaining in the current Administration," it had "decided to withdraw the proposed policy and rule and focus [its] attention on other priorities, including directives in recent National Defense Authorization Acts."

OSHA Heat Docket Wraps Up. January 14, 2025, is the deadline for stakeholders to submit comments in response to the Occupational Safety and Health Administration's [proposed heat standard](#). The incoming Trump administration is unlikely to move forward with the proposal, at least as currently written.

A Commanding Act. During his four years in office, President Biden, the commander in chief, signed into law the [American Rescue Plan Act](#), the [Inflation Reduction Act](#), and the Creating Helpful Incentives to Produce Semiconductors (CHIPS) and Science Act of 2022, among others. But for residents of Washington, D.C., President Biden's most enduring legislative victory is probably the [D.C. Robert F. Kennedy Memorial Stadium Campus Revitalization Act](#). The statute instructs the secretary of the interior to transfer "administrative jurisdiction over the Robert F. Kennedy Memorial Stadium Campus" to the District of Columbia for, among other purposes, "[s]tadium purposes, including training facilities, offices, and other structures necessary to support a stadium." The act likely paves the way for the construction of a stadium in Washington, D.C., that will hold professional football games.

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