



The First 100 Days of the Trump Administration and Priorities for the 119th Congress

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Introduction

This TFG Special Report outlines the actions anticipated by the Trump administration during its first 100 days as well as the expected priorities from lawmakers in the 119th Congress. The first 100 days of any administration are critical, setting the stage for governance and launching key initiatives that have a significant impact on the country. Understanding these emerging actions will help local leaders effectively advocate for their interests amidst swift federal developments.

The report provides TFG clients with valuable insights into the policy directions and legislative agendas that will impact them. Beyond an analysis of the administration's initial steps, a detailed legislative forecast for the 119th Congress is also provided, in addition to a discussion about trends and expectations for federal grant funding of interest to public agencies.

The First 100 Days

Government Funding

The Trump administration and newly seated Congress will face critical decisions about federal appropriations within their first 100 days. The federal government is currently being funded through a Continuing Resolution (CR) that runs through March 14, 2025. The CR, signed into law on December 21, 2024, averted a government shutdown, but also provides a limited window for the administration to establish its fiscal priorities. However, it also ensures that long-term government funding discussions, including spending reallocations and/or cuts, will take center stage as the Trump administration implements its policy agenda.

A Shift in Policy Focus

The Trump administration is expected to take a different approach to federal spending than the Biden administration. During President Biden's tenure, landmark legislative achievements such as the *Infrastructure Investment and Jobs Act* (IIJA), *CHIPS and Science Act* (CHIPS Act), and the *Inflation Reduction Act* (IRA) injected unprecedented federal funding into infrastructure, technological innovation, and clean energy initiatives. The Trump administration's emphasis on scaling back government programs and reducing discretionary spending suggests that some of these initiatives will likely face significant reductions or even dismantling.

Like any change in administration, the new Trump administration is poised to redirect federal funds to align with its own goals, which include reducing inflation, domestic energy production, border security, and defense. Funding for programs like electric vehicle incentives, renewable energy projects, and climate resilience measures may be paused or eliminated.

Unobligated Funds at Risk

Federal funds that have been appropriated but have yet to be obligated for specific projects or purposes could be vulnerable under the Trump administration. Agencies may face pressure to redirect these funds to initiatives aligned with the administration's priorities. For example, the Biden administration's infrastructure and clean



energy projects—many of which involve multi-year appropriations—could see unobligated funds repurposed or withheld.

Reprogramming and Refusal to Spend Funds

While agencies have some discretion to reprogram funds within their accounts, such actions must typically remain consistent with Congressional intent. The first Trump administration showed a willingness to use executive powers to circumvent Congressional appropriations processes. In 2020, for instance, the Trump administration reprogrammed billions of dollars from the Department of Defense to finance border wall construction, citing national security concerns. Similar reprogramming efforts may emerge in the coming term.

Disaster Relief and Hazard Mitigation

Disaster relief funding, a lifeline for many states and municipalities recovering from natural disasters, could face significant realignment. The Trump administration's historical focus on streamlining federal aid programs could lead to tighter eligibility criteria or fewer resources available for pre-disaster mitigation efforts. However, while there may be changes to eligibility, and potentially fewer resources, easing regulations tied to federal funds could make it easier for recipients of disaster and other aid.

Fiscal Pressures on State Budgets

The Trump administration's broader tax policy goals, including the expansion of the 2017 tax cuts, could indirectly impact state revenues. Reduced federal funding for joint programs may coincide with declining revenues from federal tax deductions that states rely on, creating a dual fiscal challenge for state and local governments.

State and local leaders will need to proactively engage with federal agencies and Congress to advocate for sustained or redirected funding to support essential programs.

Reconciliation

As Republicans settle into their new majorities in both chambers of Congress and the White House, the party is planning to act quickly to secure early wins that will allow President-elect Trump to advance his agenda. However, the majorities in the House and Senate are slim and not veto-proof in the Senate. For Republicans to deliver on many of their campaign promises, they will have to utilize the budget reconciliation process to get many of their key policy priorities passed.

The Budget Reconciliation Process

Budget reconciliation is a legislative process in Congress that expedites the passage of certain budget-related bills. It was established under the *Congressional Budget and Impoundment Control Act of 1974* and allows legislation affecting spending, revenue, and the federal debt limit to be passed with a simple majority in the Senate, bypassing the usual 60-vote threshold required to overcome a filibuster. Since it was created, both parties have utilized the tool a total of 23 times to deliver on key policy priorities. Most recently, Republicans used reconciliation in 2017 to pass the *Tax Cuts and the Jobs Act* and Democrats utilized it in 2021 to pass the *American Rescue Plan Act* and 2022 for the *Inflation Reduction Act*.



Reconciliation is typically used to implement significant budgetary or fiscal policies, such as tax reforms, spending cuts, or adjustments to entitlement programs like Medicare. It cannot be used to pass legislation that doesn't have a significant impact on the budget. Several more steps and considerations are involved for reconciliation than usually passed legislation. Here's an overview of the steps involved:

- 1. **Adoption of a Budget Resolution:** Congress adopts a budget resolution, which is a blueprint for federal spending, revenue, deficits, and debt. The budget resolution includes "reconciliation instructions," which direct specific congressional committees to draft legislation that meets certain fiscal targets.
- 2. **Drafting Reconciliation Legislation:** Committees named in the reconciliation instructions draft legislation to meet the specified fiscal targets (e.g., reducing spending or increasing revenues).
- Combining the Committee Bills: The Budget Committees in each chamber combine the committee's
 proposals into a single reconciliation bill. The Budget Committee has no authority to change the
 substantive content.
- 4. Consideration in the House of Representatives: The reconciliation bill is debated under normal House rules, but the majority party usually has significant control over the process. The bill is voted on and, if passed, sent to the Senate.
- 5. **Consideration in the Senate:** In the Senate, debate on reconciliation bills is limited to 20 hours, preventing a filibuster. Senators can propose amendments during a process called a "vote-a-rama," which can result in numerous votes in a short period. The bill can pass with a simple majority vote (51 votes or 50 votes plus the Vice President's tie-breaking vote).
- 6. **Resolving Differences Between the House and Senate:** If the House and Senate versions of the bill differ, the two chambers must resolve the discrepancies. A conference committee may be convened to negotiate a final version. Both chambers must approve the final, identical version of the bill.
- 7. **Presidential Action:** The reconciliation bill is sent to the President for approval or veto. If vetoed, Congress can override the veto with a two-thirds vote in both chambers.
- 8. **Special Considerations: The Byrd Rule:** In the Senate, the <u>Byrd Rule</u>, named after former West Virginia Senator Robert Byrd, restricts what can be included in reconciliation legislation. Provisions must directly affect the federal budget (spending or revenue) and cannot be "extraneous." Senators can raise a point of order to challenge provisions violating the Byrd Rule, which requires review by the Senate Parliamentarian.

Size and Scope of a Reconciliation Package

House Republicans met privately at a retreat on January 4 to lay out a reconciliation package strategy. Speaker Johnson and President-elect Trump confirmed their support for a single, all-encompassing bill instead of the two smaller packages, which is the path favored by new Senate Majority Leader Thune (R-S.D.). The single package would include border security, energy policy, and extend the 2017 tax cuts. Speaker Johnson has said he also wants to address the debt ceiling in the massive package considering the June debt deadline. In addition to the priorities the GOP leadership expects to include in a reconciliation package, President-elect Trump also called for the package to include the "no tax on tips" plan he supported during his campaign. The cost of the policies would be made up by newly imposed tariffs proposed by President-elect Trump, as well as changes to the Medicare and Medicaid work requirements, scaling back Obamacare, nixing Biden administration climate priorities, auctioning radio spectrum, and ending some student loan forgiveness, along with overhauling safety net programs like the Supplemental Nutrition Assistance Program (SNAP) and Temporary Assistance for Needy Families (TANF).



Timeline and Outlook

Speaker Johnson has been clear that a reconciliation package is the highest priority and that the goal is to have it out of the House and in the Senate as soon as April 3rd and ready for President Trump to sign by the end of April. However, early discussions and indications from Speaker Johnson, Majority Leader Thune, and President-elect Trump show a process that is still very fluid. Whether there will be one or two bills is unclear. Speaker Johnson's preference for one bill stems from his experience leading his conference through the December government funding fight and his belief that two complex bills would be more than the institution could handle. In either scenario, GOP congressional members have been open about their support for the underlying policy measures to be included in reconciliation.

Senate Confirmations

The new Republican majority in the Senate will be tasked with quickly beginning the confirmation process for President Trump's nominees. With roughly 1,300 positions across the federal government requiring Senate approval, the chamber will spend a significant portion of the first 100 days holding confirmation hearings and voting on nominees. Within days of winning the election, President Trump began announcing nominees for cabinet positions and other roles within his administration at an unprecedented pace. This allowed the Senate confirmation process to kick off earlier than usual – at least informally – as members discussed their thoughts on nominees and began asking for background materials as part of the vetting process. Most notably, former Representative Matt Gaetz (R-Fla.) was announced as the pick for Attorney General but withdrew from consideration eight days later following allegations of misconduct that prompted widespread apprehension by Republican senators.

The Gaetz example is representative of the underlying theme that will likely play out in the Senate over the first 100 days of the second Trump Administration; which is that the Senate—and more specifically a handful of key Republicans—will be repeatedly balancing the chamber's formal role of offering "advice and consent" on presidential nominees with its longstanding tradition of granting a new president wide latitude in assembling the team they want around them. The Gaetz nomination, and others, have shown that President Trump will not be shying away from potentially controversial nominations, which will likely increase the spotlight on the confirmation process as Senators publicly and privately weigh how much leeway to offer the incoming administration.

Increasingly Slow Confirmation Process

While no two have looked the same, the Senate confirmation process at the beginning of a new administration has traditionally followed a similar trajectory. Heightened partisanship and the controversial nature of numerous nominees, however, has made predicting how this process will unfold increasingly difficult. For example, the Center for Presidential Transition has found that cabinet nominees announced pre-Inauguration Day took an average of 1 day to confirm for the Clinton administration, but almost 24 days for the first Trump administration. Further, the confirmation process for other non-cabinet nominees has also dramatically slowed, with these nominations taking an average of 69 days during the Reagan administration but increasing to 192 days during the Biden administration.

Traditionally, the Senate prioritizes confirming nominees for top national security roles to maintain the military chain of command and the ability to respond to a global crisis at any time. As such, the Senate will spend the early days after the inauguration working to fill these roles. For example, Senator Marco Rubio (R-Fla.) is the nominee to

be Secretary of State and has received broad support from Republicans and Democrats and will likely be confirmed quickly. Other high-profile nominees with limited opposition, such as Scott Bessent for Secretary of the Treasury and Pam Bondi for Attorney General, will also be addressed quickly. However, others such as Pete Hegseth for Secretary of Defense and Tulsi Gabbard for Director of National Intelligence, have sparked controversy and are at risk of not getting enough support in the Senate. This could lead to longer than usual delays in getting key national security officials in place, likely leaving career officials in these departments in charge in an acting capacity.

The incoming administration may also adopt a more recent trend to limit the impacts of a slower confirmation process, which is to get non-Senate confirmed political appointees in place early. The Biden administration, recognizing the delayed Senate process, emphasized filling these roles during the transition period and, by Inauguration Day, had filled over 1,100 non-Senate confirmed positions. The Trump administration will likely take similar steps, especially at agencies where the cabinet secretary may take longer to get confirmed, to quickly begin implementing their agenda on day one. In the first 100 days be prepared for the confirmation process to continue the trend of more slowly addressing cabinet nominees – including some critical national security roles – and the possibility of non-Senate confirmed individuals having increased influence on early policy action.

Recess Appointments

Should President-elect Trump struggle with getting his preferred nominees confirmed, there may be growing discussion about "recess appointments." In short, a recess appointment allows the President to appoint a nominee without Senate confirmation that could serve until the end of the congressional session, provided certain conditions are met. This practice was used rather frequently until the 2014 Supreme Court *NLRB v. Noel Canning* decision when the Court ruled that Congress must be in recess for at least 10 days before a recess appointment could be made. Since the ruling, both chambers have typically used short pro forma sessions during longer recesses to prevent these appointments from happening.

Shortly after the election—and as opposition to some of his early nominees grew—President-elect Trump said that he would like to resume the use of recess appointments to quickly get the work of his administration started. Majority Leader Thune has said that the option remains on the table, but his preference is to handle nominations in the traditional manner and allow the Senators to vote on each nominee. Further, given there would likely be universal Democratic opposition, the idea would require buy-in from almost every Republican Senator and it remains unclear if some long-time members of the institution would be willing to cede this key check and balance tool.

There are also reports that the Trump administration may look into the idea of forcing a recess based on language in the Constitution that gives the President the power to adjourn Congress in certain circumstances. A drastic measure like this would likely trigger multiple lawsuits and legal scholars are undecided on whether this practice would hold up in court. In addition, a lengthy lawsuit could also keep the President's nominees in limbo for months or years, thus having the opposite effect of forcing a recess in the first place. Overall, while President-elect Trump has clearly put the option of recess appointments on the table, the Senate appears likely to focus on advancing nominations in the normal fashion, but expect discussion on this idea to increase should the process get especially acrimonious.

Department on Government Efficiency

Shortly after his election, President-elect Trump announced the creation of a new government entity – the Department of Government Efficiency (DOGE) – as part of his campaign promise to cut federal spending, reduce

the deficit, and shrink the size of government. DOGE, which will be chaired by Elon Musk and Vivek Ramaswamy, is not intended to function as an official federal executive department, despite its name. Instead, it will serve as a presidential advisory commission to identify areas where government agencies can be streamlined or simplified. Chairs Musk and Ramaswamy, both outspoken critics of expansive federal government operations, have proposed significant measures to reduce its size, including eliminating entire federal agencies and reducing the number of federal employees. President-elect Trump, along with Musk and Ramaswamy, has set ambitious goals of cutting up to \$2 trillion from the federal budget.

To achieve these goals, the President-elect and his advisors have suggested reinstating "Schedule F" job classifications. This controversial classification system would reclassify thousands of traditional government positions as "appointee" roles, granting the President greater discretion to remove existing personnel and either appoint new individuals or leave positions vacant. Additionally, the President-elect's campaign has expressed interest in challenging provisions of the *Congressional Budget and Impoundment Control Act of 1974*. Currently, this act limits the President's ability to rescind funds from programs without congressional approval. Overturning these provisions would allow the President to reduce or eliminate funding for programs he opposes, though such efforts would likely face significant legal and constitutional challenges.

Congressional Review Act

The Congressional Review Act (CRA) is a tool Congress can use to overturn certain federal agency actions. The CRA was enacted as part of the Small Business Regulatory Enforcement Fairness Act of 1996. The CRA requires federal agencies to report the issuance of "rules" to Congress and provides Congress with special procedures, in the form of a joint resolution of disapproval, under which to consider legislation to overturn rules. If a CRA joint resolution of disapproval is approved by both houses of Congress and signed by the President, or if Congress successfully overrides a presidential veto, the rule at issue cannot go into effect or continue in effect. All votes under the CRA are simple majority votes (i.e., only simple majority support is required for passage in the House and Senate—a CRA disapproval resolution cannot be filibustered in the Senate). The CRA has been used to overturn a total of 20 rules: one in the 107th Congress (2001-2002), 16 in the 115th Congress (2017-2018), and three in the 117th Congress (2021-2022).

The CRA <u>applies</u> to final rules, including major rules, non-major rules, and interim final rules. Additionally, the *Administrative Procedure Act's* (APA) definition of "rule" is sufficiently broad (for purposes of the CRA) that it may include agency actions that are not subject to traditional notice-and-comment rulemaking, such as guidance documents and policy memoranda. The CRA does not apply to presidential actions or to non-rule agency actions, such as orders.

A CRA joint resolution of disapproval is introduced in the same way as any other bill. However, the joint resolution must be introduced within a specific time frame: during a 60-days-of-continuous-session period beginning when the rule has been published in the *Federal Register* and been received by Congress. The Congressional Research Service (CRS) <u>estimates</u> that Biden administration rules submitted to the House or Senate *on or after August 1, 2024*, until the end of the second session of the 118th Congress (on January 3, 2025), are likely to be subject to the CRA lookback provisions and will qualify for additional periods of CRA review in the first few months of the 119th Congress (which began on January 3, 2025). These renewed periods of review are likely to permit the introduction of disapproval resolutions aimed at such rules until late March 2025 and make the CRA "fast track" procedures available to consider such joint resolutions in the Senate until late May or early June 2025.

The new GOP majorities in the House and Senate, with the support of the incoming Trump administration on January 20, 2025, will very likely utilize the CRA within the first 100 days of the 119th Congress to nullify numerous federal agency actions taken by the Biden administration on or after August 1, 2024. One major question is which specific rules will be targeted by the 119th Congress. More than 60 percent of the rules issued since August 1, 2024 have come from just a handful of departments and agencies—the Department of Transportation (DOT), the Department of Homeland Security (DHS), the Department of Commerce (DOC), and the Environmental Protection Agency (EPA)—and most of these rules pertain to routine matters and are not likely to be targeted. However, many other new rules could be on Congress's radar for potential CRA action in early 2025, including the following:

- The EPA rule regarding <u>Waste Emissions Charge for Petroleum and Natural Gas Systems</u>, published on November 18, 2024. The rule implements a portion of the Inflation Reduction Act (IRA) that directs the EPA to collect a charge on methane emissions that exceed statutory thresholds.
- The Department of Health and Human Services' (HHS) August 21, 2024 rule on <u>Supporting the Head Start Workforce and Consistent Quality Programming</u>. The rule would raise wages for certain teachers under the Head Start program.
- The EPA's National Primary Drinking Water Regulations for Lead and Copper rule, published in the Federal Register on October 30, 2024. The rule requires water systems to replace all lead service lines within 10 years of the rule's compliance date. Nationally, this rule affects approximately nine million lead pipes, with a replacement cost of \$20-30 billion.
- The Food and Drug Administration's (FDA) August 30, 2024 rule entitled <u>Prohibition of Sale of Tobacco</u>
 <u>Products to Persons Younger Than 21 Years of Age</u>. Although the rule does not exercise much discretion
 beyond the statute, lawmakers might view the rule's increased age limit as an example of government
 overreach and eliminate it using the CRA.
- The Consumer Financial Protection Bureau's (CFPB) November 18, 2024 <u>final rule</u> requiring banks, credit
 unions, and other financial service providers to make consumers' data available upon request to
 consumers and authorized third parties in a secure and reliable manner; defining obligations for third
 parties accessing consumers' data, including important privacy protections; and promoting fair, open, and
 inclusive industry standards.

Other major rules may also be overturned via the CRA process in 2025, in addition to more minor rules and executive actions. A <u>CRA dashboard</u> created by The George Washington University's Regulatory Studies Center allows users to explore the set of more than 800 final rules published in the Federal Register after August 1, 2024 that will be subject to nullification under the CRA in 2025.

Priorities for the 119th Congress

The primary legislative priorities of the 119th Congress are to lower everyday costs, reduce taxes, curb government spending, and achieve the goals promised during 2024 election campaigns. However, achieving these goals will be challenging for the Republican majorities in both the House and Senate due to the slim majority in the House and the procedural rules of the Senate. House Republicans won 220 seats and Democrats won 215 seats. This majority is expected to shrink to 217 as two House members are anticipated to join the Trump administration and one additional member plans to vacate their seat. The resulting one-seat majority is expected to last until April 1, 2025, when two of the three vacant seats will be filled through special elections in Florida. Additionally, Rep. Victoria Spartz (Ind.) has announced that she will remain a member of the Republican party but will not participate in committees or caucuses. Meanwhile, the Senate will continue to operate under the 60-vote threshold for most legislation, except for measures in a planned reconciliation package(s), as discussed above.



Annual Appropriations Packages

The House and Senate must agree on topline spending levels and pass the twelve annual spending bills for Fiscal Year 2025 before the current Continuing Resolution ends at midnight on March 14, 2025. These bills will fund the federal government for the remainder of the fiscal year ending on September 30, 2025. Budget negotiations for Fiscal Years 2026 and 2027 are expected to begin in Spring 2025 and Spring 2026, respectively, with the goal of passing spending bills by the end of the preceding fiscal year or shortly thereafter. Although specific allocations are yet to be determined, funding for the Departments of Defense, Homeland Security, and Veterans Affairs is likely to increase, while most non-defense discretionary spending is expected to decrease.

Annual National Defense Authorizing Acts

Each year, the House and Senate authorize or reauthorize programs overseen by the Department of Defense and related national security initiatives through the *National Defense Authorization Act* (NDAA). These acts align with the federal fiscal year and are typically passed with bipartisan support. Future NDAA bills are expected to authorize increased funding for the Department of Defense, though actual allocations will depend on congressional appropriations. The NDAA has been successfully enacted every year since 1961 and there is no indication that this trend will change.

Border Security

Republicans in the House, Senate, and White House campaigned on reforming the Department of Homeland Security and increasing funding for border security agents and detention facilities. These efforts are expected to include provisions for hiring more border security officers, enhancing detection technology, completing the border wall, and constructing detention facilities for individuals awaiting deportation. The Trump administration and Republican majorities are likely to include border security measures in a reconciliation package. Republicans in the House and Senate look to address border security in the first 100 days of the second Trump presidency.

Congressional Investigations

Republican-led House and Senate oversight committees are poised to launch numerous investigations into Biden administration programs and appointees, as well as the allocation of funds under the *Inflation Reduction Act* (IRA) and *the Infrastructure Investment and Jobs Act* (IIJA). These committees will wield extensive subpoena power to compel testimony and document production, with non-compliance potentially leading to litigation. Specific investigations may target individuals such as Dr. Anthony Fauci, former Congresswoman Liz Cheney, and New York Attorney General Letitia James. Although President-elect Trump previously suggested investigating President Biden, he has since walked back these statements.

Cutting Government Spending

Republican majorities in Congress are expected to investigate ways of cutting federal spending across the non-defense departments and improving efficiencies when possible. Backed by the advice of the DOGE, Congress hopes to target, reform, and cut wasteful spending and programs throughout the federal government. While no official investigations or cuts have been proposed yet, Congress could reform non-defense spending and social welfare programs, such as Medicare and Social Security, to reduce annual spending obligations. Other areas Congress may look to cut could be found in the federal workforce or the elimination of entire federal agencies, as President-elect Trump has repeatedly suggested abolishing the Department of Education.



Debt Ceiling Negotiations

Republicans in Congress and in the White House will need to come to an agreement for an increase in the federal debt limit early in 2025. As per agreements between President Biden and then-Speaker Kevin McCarthy (R-Calif.) and finalized in the *Fiscal Responsibility Act of 2023*, the federal debt limit was suspended through January 1, 2025, with ceiling increases to accommodate the obligations issued during the suspension period to take effect on January 2, 2025. The Department of the Treasury will begin paying obligations using "extraordinary measures" until the time when the ceiling is increased. In the interim, negotiations will be held between Congress and the White House to prevent the federal government from defaulting on its obligations, which is currently expected sometime in mid-to-late 2025. Any increases to the debt ceiling will likely be contingent on the cost of the reconciliation bills and cuts to government spending.

Extending the Tax Cuts and Jobs Act

Congress will also work to renew and expand provisions included in the *Tax Cuts and Jobs Act* (TCJA), one of then-President Trump's signature pieces of legislation. President-elect Trump will return to office with the opportunity to renew, expand, and implement new tax cuts, credits, or incentives, before the expiration of many of the TCJA's provisions on December 31, 2025. It is expected that the bill will renew the individual tax cuts, repeal certain clean energy tax credits, terminate taxes on tips for tipped workers, and repeal the SALT cap, which limits the amount of state and local taxes (SALT) that individuals can deduct from their federal taxable income to \$10,000 annually. This includes property taxes as well as state and local income or sales taxes.

The timing of a tax measure is still unclear. Majority Leader Thune has stated his desire for the tax measures to be part of the second tranche of Congress' reconciliation measures, while the first tranche focuses on border security, defense spending, and energy production. House Ways and Means Chairman Jason Smith (R-Mo.) prefers moving faster on the tax legislation to finalize it within the first 100 days of the Trump administration.

Lowering the Cost of Energy

Republicans in Congress are expected to take up an energy-focused reconciliation bill early during the first 100 days of the Trump administration. Few details of the energy-focused bill are available, but it is believed that the bill will ease regulations and expand domestic energy production, and simultaneously claw back funding and programs authorized in the *Inflation Reduction Act* (IRA). President-elect Trump, for his part, campaigned on approving new drilling permits across the board and is expected to overhaul the *National Environmental Policy Act* (NEPA) in ways that could exempt pipelines and other energy projects from burdensome environmental reviews. The incoming President is expected to use his authorities to deregulate and streamline the process in ways that would make domestic energy production cheaper and more accessible.

Lowering Everyday Costs

The Republican majorities in the House and Senate will be looking to infuse most pieces of legislation with provisions aimed at lowering the cost of groceries, housing, and more everyday needs that increased in cost in the aftermath of the COVID-19 pandemic and have yet to return to near pre-pandemic levels. Legislative fixes could come in the form of increased subsidies for farmers and the agricultural industry, or for improvements to the national supply chains. On the campaign trail, President-elect Trump called for 60% tariffs on products made in China and has since called for 25% tariffs on products from Mexico and Canada. While the President-elect has seemingly backed off his threat of 25% tariffs on Mexico and Canada, he has continued to advocate for a 10% -

20% tariff on most goods across the board. Congress could follow the lead of the President and look for legislative ways to incentivize the domestic production of goods and disincentivize the purchase of goods from overseas.

Infrastructure Program Reauthorizations

Congress is set to consider the reauthorization of the Department of Transportation's federal-aid highway and transportation finance and innovation programs and other significant transportation programs administered by the Department of Transportation. The reauthorizations considered will include the *Surface Transportation Reauthorization Act of 2021*, as well as the additional provisions included in the *Infrastructure Investment and Jobs Act* (IIJA), also referred to as the "Bipartisan Infrastructure Law." The legislation reauthorized \$650 billion for previously authorized and existing programs and added \$550 billion in new federal investments for infrastructure projects such as roads, bridges, rail, public transit, ports, and airports, as well as for water infrastructure, expansion of broadband infrastructure, electric vehicle charging infrastructure, and electric grid modernization. It is expected that Congress will reauthorize the programs that were funded in the \$650 billion reauthorization portion of the IIJA. However, it has yet to be determined if Congress will authorize the new federal programs that received the additional \$550 billion or maintain increased funds for programs that were "plussed up" in the bill. The Senate passed the IIJA with a bipartisan 69-30 vote, while the House passed the bill in a significantly less bipartisan vote of 228-206. As such, many of the new programs funded in the IIJA will likely be heavily scrutinized and face larger hurdles to receive full authorization.

Numerous program authorizations included in the IIJA will expire at the end of fiscal year 2026 (September 30, 2026) and will need to be reauthorized by Congress if funding is to continue. Members of Congress will likely begin considering changes to the bill in mid-to-late 2025, with more active consideration coming in early-to-mid 2026.

Competitive Grant Funding Under the New Administration and Congress

Transitions between presidential administrations often bring shifts in federal grant funding priorities, program administration, and policy goals. These changes can impact applicants awaiting awards, programs in solicitation, and those with already awarded funding. And, of course, new administrations apply their own priorities and goals to grant funding. During any transition period, questions arise regarding the continuity of programs and safeguards to ensure applicants in progress are not adversely affected. Historically, transitions have led to both challenges and opportunities. This section of the Special Report provides an overview of the federal grant outlook overall and expectations for competitive grant funding under the new administration and Congress.

Federal Grant Outlook

Since the 1960's, federal grants to state and local governments have steadily grown annually through 2023. This growth has generally paralleled the rise in the nation's GDP, which stood at approximately \$26 trillion in 2023 (White House, Table 1.2). Federal grants to state and local governments, while only about 4% of GDP in 2023, are a crucial tool for addressing national priorities like infrastructure, social services, rural development, and cybersecurity (White House, Aid to State and Local Governments). Over time, the focus and allocation of these grants have shifted significantly across presidential administrations, reflecting changing policy goals and economic conditions.

While priorities may change, federal grant funding to state and local governments generally remain steady regardless of who is in charge. Federal grants have increased consistently since FY 1990, rising from \$135.3 billion to \$829.1 billion by FY 2020 (White House, Aid to State and Local Governments). This growth accelerated significantly since 2020, due to COVID-19 pandemic relief efforts and the enactment of the IIJA and the IRA. Total federal grant spending to state and local governments is estimated to be 3.7% of the GDP in 2025 (White House, Aid to State and Local Governments).



Figure 1 - Trends in Federal Grants to States and Local Governments (Outlays in Billions of Dollars)

The Infrastructure Investment and Jobs Act (IIJA) and the Inflation Reduction Act (IRA)

The IIJA, also referred to as the Bipartisan Infrastructure Law, allocated approximately \$1.2 trillion from FY 2022 to FY 2026, with \$550 billion in new spending to modernize the nation's infrastructure. Among the 190 programs outlined in the <u>Bipartisan Infrastructure Law Guidebook</u>, 118 were pre-existing initiatives that received additional funding, while 71 were new. Despite the IIJA's authorization expiring in September 2026, many programs are expected to continue, and reauthorization discussions are likely to begin under the new Congress in 2025, reflecting the bipartisan foundation of this legislation.

The IRA provides \$369 billion for clean energy initiatives through grants, loans, rebates, and incentives, with funds appropriated in FY 2022 and available through FY 2030. Of the 109 programs in the IRA Guidebook, nearly half were pre-existing and received expanded funding under the Act.

While some programs received advanced appropriations under the IIJA and IRA, which secured funding through future years, discretionary unobligated funds may be redirected within legislative limits, potentially impacting the availability of grants in areas that are deprioritized. However, *once federal grants are awarded, they become legally binding agreements, with federal agencies required to fulfill their terms unless grantees are found non-compliant, a rare occurrence*.

Role of Congress

The U.S. Congress plays a critical role in federal grants through its control over appropriations, legislation, and oversight. Congress determines funding levels for federal programs through the annual appropriations process, ultimately influencing the availability of grant funding. It also establishes grant programs through legislation, defining their purpose, eligibility, and requirements, as seen in major bills like the IIJA. Congress can also set priorities for grant programs by mandating funds address specific challenges, such as underserved communities or climate resilience, and oversees programs to ensure funds are used effectively. Periodic reauthorization of grant programs is another key function of Congress, as some programs expire without Congressional action. Similar to a change in a presidential administration, changes in Congressional leadership or political priorities can also impact grant funding focus.

Continuity of Awarded Funding

Continuity challenges in grant funding have arisen from events such as government shutdowns, shifts in policy priorities, and political controversies. For instance, the 2018–2019 federal government shutdown delayed grant award decisions, particularly for discretionary grants, as agencies suspended reviews. To mitigate these delays, agencies extended application deadlines and expedited the review process once normal operations resumed.

Shifts in policy priorities during administrative transitions have also posed challenges. For example, the transition from the Obama administration to the first Trump administration led to decreased emphasis on renewable energy grants and increased focus on fossil fuel-related projects. While existing grant announcements were honored to ensure continuity for applicants, future funding cycles were adjusted to align with the new administration's goals.

Political controversies have further complicated continuity in grant funding. During the first Trump administration, the Department of Justice introduced conditions requiring compliance with immigration enforcement policies to qualify for certain grants. This sparked lawsuits from states, with courts ultimately ruling that grant awards could not be tied to unrelated policy conditions. Legal safeguards like these, along with strategies such as extending deadlines and judicial intervention, have played a crucial role in mitigating challenges and maintaining fairness and stability for applicants.

Federal grant programs include several safeguards and policies designed to ensure continuity and fairness for applicants awaiting award decisions, even during administrative transitions or changes in political leadership. The following mechanisms aim to maintain the integrity of the grant process and prevent political interference while ensuring applicants are not adversely affected by delays or changes in priorities.

- Published Notices of Funding Opportunities include deadlines, eligibility criteria, and evaluation processes that are clearly outlined, providing a fixed structure that remains stable even during transitions.
- Many federal grant programs rely on independent, nonpartisan panels to review and score applications based on pre-established criteria. This process minimizes the influence of changing political priorities and ensures applicants are evaluated fairly.
- Agencies may issue transitional policies or updates to clarify changes in timelines or requirements.
- Federal grants are created through authorizing legislation, which defines the purpose, eligibility, and structure of the program. Once authorized, these programs have a legal basis to exist. Congress provides funding for authorized programs through annual appropriations bills. These bills allocate specific amounts of money to individual programs for a fiscal year, or multiple fiscal years.

It is important to note that while efforts to alter grant processes are often influenced by political agendas, their success is largely dependent on legal and institutional constraints. Administrations may issue executive orders or agency directives to prioritize specific grant areas, such as infrastructure or rural development. However, most grant programs tied to Congressional appropriations or authorizations cannot be reallocated without legislative approval, limiting the scope of such changes. Congressional oversight also plays a critical role in maintaining transparency. Committees have the authority to monitor grant funding and subpoena agencies if irregularities are suspected, helping to ensure decisions are not unduly influenced by political motives. Additionally, judicial review serves as a safeguard against unfair alterations to grant processes. Courts have intervened in cases where agencies attempted to change grant criteria mid-process or retroactively impose new conditions, protecting applicants from arbitrary or politically motivated disruptions. Together, these mechanisms help maintain fairness and integrity in the federal grant system.

Impact of Administrative Priorities on Grant Programs

Historical Overview

During the Obama, Trump, and Biden administrations, grant funding priorities have highlighted different approaches to national issues. The Obama administration emphasized foundational investments, particularly in urban infrastructure, housing, and social services, with moderate increases in grant funding for rural development and cybersecurity. By contrast, the Trump administration focused heavily on promoting public private partnerships, and rural and veteran programs. Under the Biden administration, grant funding for rural development, broadband, and infrastructure surged, driven largely by the IIJA and IRA, which provided billions in new funding annually. Almost all programs under these two laws prioritized projects that addressed equity, climate resilience, and modernization.

Anticipated Grant Funding Priorities for the Trump Administration

President Trump's initial term reshaped grant funding significantly by prioritizing infrastructure development, public safety, energy independence, and economic revitalization. Programs emerged to support broadband expansion, transportation, and homeland security initiatives. Grant-making mechanisms focused heavily on competitive grants in these key areas, reflecting the administration's policy priorities. In energy and healthcare, funding shifted to align with deregulation and traditional energy exploration, while workforce development grants targeted manufacturing and STEM.

Looking forward, a new Trump administration is expected to revisit similar priorities, likely emphasizing grants for infrastructure projects, rural broadband, public safety, and public-private partnerships. Grant availability is also likely to reflect shifts in federal budget allocations, favoring areas like defense, justice, traditional energy, and rural development over the climate-focused or equity-based initiatives of the Biden administration.

Agencies like the Department of Energy, the Environmental Protection Agency, and the Department of Transportation will likely see shifts in focus under the Trump administration, with resources redirected toward infrastructure, traditional energy projects, and deregulation. Stakeholders who relied on prior initiatives targeting environmental or social equity programs may need to recalibrate their strategies to align with the new administration's priorities.

President Trump's Cabinet

On January 20, 2025, the President Donald J. Trump and Vice President J.D. Vance will be inaugurated. President-elect Trump tapped senior advisor and de-facto campaign manager Susie Wiles as his White House Chief of Staff. The transition team worked quickly to announce roles in the upcoming cabinet, which will require Senate confirmation, as well as senior administration staff, which do not require any Congressional approval. A visual representation of the nominees and appointees is provided below.

Senate confirmation required



State Marco Rubio



Attorney general Pam Bondi



Defense Pete Hegseth



Homeland Security Kristi Noem



Labor Lori Chavez-DeRemer



C.I.A. John Ratcliffe



D.N.I. Tulsi Gabbard



Medicare and Medicaid Mehmet Oz



E.P.A. Lee Zeldin



U.N. Elise Stefanik



Health Robert F. Kennedy Jr.



Interior Doug Burgum



Veterans Affairs Doug Collins



Treasury Scott Bessent



Agriculture Brooke Rollins



Commerce Howard Lutnick



Transport. Sean Duffy



F.D.A. Martin A. Makary



Energy Chris Wright



Education Linda McMahon



NATO Matthew G. Whitaker



Housing Scott Turner



C.D.C. Dave Weldon



Surgeon general Janette



O.M.B. Russell

T. Vought



Announced C.E.A.

Stephen



Announced NASA Jared

Isaacman



F.B.I. Kash Patel



S.E.C. Paul Atkins



U.S. trade rep. Jamieson Greer



I.R.S. Billy Long



S.B.A. Kelly Loeffler



N.I.H. dir. Jay Bhattacharya



Solicitor general D. John Sauer



Social Security Frank Bisignano



Senate confirmation not required



Vice president JD Vance



Chief of staff Susie Wiles



Deputy chief of staff James Blair



Deputy chief of staff Taylor Budowich



Deputy chief of staff Stephen Miller



Deputy chief of staff Dan Scavino



Border czar Thomas Homan



Nat. sec. adviser Michael Waltz



Govt. efficiency counsel Bill McGinley



White House counsel David Warrington



Comm. dir. Steven Cheung



Press secretary Karoline Leavitt



Staff secretary Will Scharf



Personnel Sergio Gor



Govt. efficiency lead Flon Musk



Govt. efficiency lead Vivek Ramaswamy



F.C.C. Brendan Carr



Political affairs Matt Brasseaux



Public liaison Alex Latcham



Domestic policy Vince Haley



Legislative affairs James Braid

Source: The New York Times

The Trump administration is facing hurdles with several nominees requiring Senate confirmation. Secretary of Defense nominee Pete Hegseth has come under scrutiny over allegations of misconduct. Additionally, FBI nominee Kash Patel and Director of National Intelligence nominee Tulsi Gabbard are facing questions that could impact their confirmation processes. Both Representative Matt Gaetz and Sheriff Chad Chronister, nominated for Attorney General and head of the Drug Enforcement Administration, respectively, withdrew from consideration.

The Senate will begin confirmation hearings this week with Doug Collins for Veterans Affairs secretary, Pete Hegseth for Defense secretary, and Doug Burgum for Interior secretary on Tuesday; Kristi Noem for Homeland Security secretary, Chris Wright for Energy secretary, Sen. Marco Rubio (R-Fla.) for secretary of State, John Ratcliffe for CIA director, Sean Duffy for Transportation secretary, and Russ Vought for Office of Management and Budget director on Wednesday; & Eric Scott Turner for Housing and Urban Development secretary on Thursday. Pam Bondi's attorney general hearings will span two days, Wednesday and Thursday.

119th Congressional Leaders

Congressional Leadership

Republicans will hold a governing trifecta during the 119th Congress. On Friday, January 3, both chambers returned to Washington to swear in members. In the House, Republicans hold a slim majority of 220-215, which could decrease to 217-215 for a period of time given current appointments/nominations, while Republicans will have a 53-47 majority in the Senate. TFG covered the Republican trifecta in depth in our Post-Election Special Report found here.

House Leadership

On Friday, January 3, the House formally voted for Mike Johnson (R-La.) to retain his role as the Speaker of the House. While the process to secure the gavel was frayed, Speaker Johnson was able to secure the Speakership with a vote of 218-215-1. House Republican leadership will face slim margins and differing opinions on key legislative items, making the early days of the 119th Congress a delicate balance for the Speaker.

On November 13, the House Republican Conference voted to re-elect Majority Leader Steve Scalise (R-La.), Majority Whip Tom Emmer (R-Minn.), and Rep. Lisa McClain (R-Mich.) as the new Conference Chair. House Democrats held their leadership elections on November 19, and re-elected House Minority Leader Hakeem Jeffries (D-N.Y.), House Minority Whip Katherine Clark (D-Mass.), and House Democratic Caucus Chair Pete Aguilar (D-Calif.).

The GOP margin is razor thin as Rep. Matt Gaetz (R-Fla.) resigned following his withdrawn attorney general nomination and Rep. Mike Waltz (R-Fla.) will assume his position as national security adviser, a role not needing Senate confirmation. As the new year brings vacancies to both of those seats, the Republican majority will rest at 218 – 215 with subsequent special elections on April 1. An additional vacancy would take the GOP majority down to 217 – 215 if Rep. Elise Stefanik (R-N.Y.) is Senate confirmed as United Nations ambassador – as she is expected to – triggering a 90-day timeframe for a special election vote to replace her vacated seat. Speaker Johnson must maneuver carefully as Republicans attempt an aggressive agenda early in Congress.

Republican Leadership



Speaker of the House Mike Johnson (R-La.)



Majority Whip Tom Emmer (R-Minn.)



Majority Leader Steve Scalise (R-

Democratic Leadership



Minority Leader Hakeem Jeffries (D-N.Y.)



Democratic Caucus Chair Pete Aguilar (D-Calif.)



Minority Whip Katherine Clark (D-Mass.)

Source: Congress.gov

Senate Leadership

On Friday, January 3, the Senate swore in new members and Senator John Thune formally took over as Senate Majority Leader. On November 13, the Senate Republican Conference voted to elect Sen. John Thune to succeed Sen. Mitch McConnell (R-Ky.) after an 18-year tenure of leading the Conference. Senate Majority Leader Thune secured the position over Sens. John Cornyn (R-Texas) and Rick Scott (R-Fla.). On December 3, Sens. Chuck Schumer (D-N.Y.) and Dick Durbin (D-III.) retained the Minority Leader and Minority Whip positions, respectively. Sen. Amy Klobuchar (D-Minn.) won the No. 3 spot (Policy and Communications Chair) in the Democratic leadership after a quick face-off between her and Sen. Cory Booker (D-N.J.) who ended up with the number four spot as Steering and Outreach Chair. Sen. Kirsten Gillibrand (D-N.Y.) will serve as Senatorial Campaign Committee Chair.

Majority Leader Thune, in his first official speech as the Senate's leader, vowed to work aggressively to advance President-elect Trump's agenda. Early on he will need to shepherd the confirmation of multiple Trump administration nominees in a closely divided Senate. Each nomination can lose no more than three Republican votes if all Democrats vote in opposition. The next challenge that the Majority Leader will face is maneuvering around the filibuster, which he confirmed the Senate will uphold. Congress will attempt to pass a reconciliation bill in the first quarter of the 119th, and to do so in the Senate will require considerable legislative finesse – as passing a bill with border security, military spending, and energy-related priorities will prove challenging.

Republican Leadership



Majority Leader John Thune (R-S.D.)



Majority Whip John Barrasso (R-Wy.)



GOP Conference Chair Tom Cotton (R-Ar.)



Policy Committee Chair Shelley Moore Capito (R-W.V.)



Conference Vice Chair James Lankford (R-Okla.)



Senatorial Committee Chair Tim Scott (R-S.C.)

Democratic Leadership



Minority Leader Chuck Schumer (D-N.Y.)



Minority Whip Dick Durbin (D-III.)



Policy and Communications Chair Amy Klobuchar (D-Minn.)



Steering and Outreach Chair Cory Booker (D-N.J.)



Senatorial Campaign Committee Chair Kirsten Gillibrand (D-N.Y.)

Source: Congress.gov

Committee Chairs and Ranking Members

As the 119th Congress begins, the following committees are essential to local agencies and their priorities. The Congressional Agriculture, Appropriations, Transportation, Ways & Means, and Finance Committees will all play pivotal roles in shaping policies and funding that directly impact local governments and other public agencies.

The Agriculture Committees in each chamber will work to reauthorize the 2018 Farm Bill, which received a oneyear extension after Congress ran out of time in the "lame duck" to pass a five-year extension. A reauthorized Farm Bill provides funding for farmers, ranchers, and foresters through various programs, as well as the more politically controversial nutrition programs, such as SNAP.

The Congressional Appropriations Committee provides funding for local communities from appropriations accounts to Congressionally Directed Spending / Community Project Funding – earmarks – supporting local projects. Appropriations leaders in the House and Senate have stated that the earmarking process will continue.

The Transportation & Infrastructure Committee in the House and the Senate Commerce, Science and Transportation Committee will work to reauthorize the Surface Transportation Reauthorization Act of 2021, which authorizes funds for Federal-aid highways and highway safety construction programs. Lawmakers will want to hear from their constituents about their infrastructure needs, and this reauthorization will allow opportunities to weigh in.

As President-elect Donald Trump takes office, one of his top legislative priorities is extending the Tax Cuts and Jobs Act of 2017, which expires in December 2025. Congress will approach this issue through a reconciliation package. The House Ways & Means and Senate Finance Committees will produce the bills for the next tax plan.

Below are the committee chairs and ranking members in the House and Senate. In the graphics, a star signifies a new Chair or Ranking Member.



Agriculture Chair Glenn Thompson

R-Pa.



Appropriations Chair Tom Cole R-Okla.



Armed Services Chair Mike Rogers R-Ala.



Chair Jodey Arrington R-Texas



Education & Workforce Chair Tim Walberg



Energy & Commerce Chair Brett Guthrie



Financial Services Chair French Hill R-Ark. *



Foreign Affairs Chair Brian Mast R-Fla. *



Homeland Security Chair Mark Green

R-Tenn



Judiciary Chair Jim Jordan R-Texas



Natural Resources Chair Bruce Westerman R-Ark



Oversight & Accountability Chair James Comer R-Ky.



Science Space & Technology Chair Brian Babin R-Texas *



Small Business Chair Roger Williams R-Texas



Transportation & Infrastructure Chair Sam Graves R-Mo.



Chair Mike Bost R-III.



Ways & Means Chair Jason Smith R-Mo.

119th House Democrat Ranking Members



Agriculture Ranking Member Angie Craig D-Minn. *



Appropriations Ranking Member Rosa DeLauro D-Conn.



Armed Services Ranking Member Adam Smith D-Wash.



Budget Ranking Member Brendan Boyle D-Pa,



Education & Workforce Ranking Member Bobby Scott D-Va.



Energy & Commerce Ranking Member Frank Pallone D-N.J.



Financial Services Ranking Member Maxine Waters D-Calif.



Foreign Affairs Ranking Member Gregory Meeks D-N.Y.



Homeland Security Ranking Member Bennie Thompson D-Miss.



Judiciary Ranking Member Jamie Raskin D-Md. *



Natural Resources Ranking Member Jared Huffman D-Calif. *



Oversight &
Accountability
Ranking Member
Gerald Connolly
D-Va. *



Science Space & Technology Chair Zoe Lofgren D-Calif. *



Small Business Chair Nydia Veläzquez D-N.Y.



Transportation & Infrastructure Chair Rick Larsen D-Wash.



Veterans' Affairs Chair Mark Takano D-Calif.



Ways & Means Chair Richard Neal D-Mass.

Source: Congress.gov

119th Senate Republican Chairs



Agriculture Chair John Boozman



Environment & Public Works Chair Shelley Moore Capito R-W.V.



Appropriations Chair Susan Collins R-Maine



Chair Mike Crapo R-Idaho



Armed Services Chair Roger Wicker R-Miss.



Foreign Relations Chair Jim Risch R-Idaho



Chair Tim Scott R-S.C.



Health, Ed, Labor, & Pensions Chair Bill Cassidy R-La.



Commerce Chair Ted Cruz R-Texas



Homeland Security & Gov. Affairs Chair Rand Paul R-Ky.



Chair Mike Lee R-Utah *



Judiciary Chair Chuck Grassley R-lowa *



Chair
Tom Cotton
R-Ark.



Aging Chair Rick Scott R-Fla.



Chair Chair Lindsey Graham R-S.C.



Indian Affairs Chair Lisa Murkowski R-Alaska



Joint Econ Commission Chair Eric Schmitt R-Mo. *



Rules Chair Mitch McConnell R-Ky. *



Small Business Chair Joni Ernst R-Iowa



Veterans Affairs Chair Jerry Moran R-Kan.



Ethics Chair James Lankford R-Okla.

Source: Congress.gov

119th Senate Democrat Ranking Members



Agriculture Ranking Member Amy Klobuchar D-Minn. *



Appropriations Ranking Member Patty Murray D-Wash.



Armed Services Ranking Member Jack Reed D-R.I.



Banking Ranking Member Elizabeth Warren D-Mass:*



Commerce Ranking Member Maria Cantwell D-Wash.



Energy Ranking Member Martin Heinrich D-N.M. *



Environment & Public Works Ranking Member Sheldon Whitehouse D-R.I.



Finance Ranking Member Ron Wyden D-Ore.



Foreign Relations Ranking Member Jeanne Shaheen D-N.H. *



Health, Ed, Labor, & Pensions Ranking Member Bernie Sanders D-Vt.



Homeland Security & Gov. Affairs Ranking Member Gary Peters D-Mich.



Judiciary Ranking Member Dick Durbin D-III.



Intelligence Ranking Member Mark Warner D-Va.



Aging
Ranking Member
Kirsten Gillibrand
D-N.Y. *



Budget Ranking Member Jeff Merkley D-Ore, *



Indian Affairs Ranking Member Brian Schatz D-Hawaii



Joint Econ Commission Ranking Member Maggie Hassan D-N.H. *



Rules
Ranking Member
Alex Padilla
D-Calif. *



Small Business Ranking Member Ed Markey D-Ore, *



Veterans Affairs Ranking Member Richard Blumenthal D-Conn. *



Ethics Ranking Member Chris Coons D-Del.

Source: Congress.gov