

News from Washington

Midterm results, a divided Congress and looking ahead at the 118th Congress



The 117th Congress is in a busy lame-duck session, even as the results from November's midterm elections—which will determine the composition of the 118th Congress—are still being tabulated. As this magazine was going to press, what was clear is that there will be a divided Congress, with the Republicans wresting control of the House from the Democrats and the Democrats retaining control of the Senate.

In both cases, the margins are extremely narrow. The Republicans, as of this writing, have reached 218 seats in the House, the magic number for control, with the Democrats standing at 211 and a half-dozen races yet to be called.

In the Senate, Democrats have 50 seats (including two independents who caucus with the Democrats), and Republicans stand at 49, with one seat to be decided in a runoff election this month. Depending on the runoff's outcome, Democrats will hold either 51 or 50 seats; either way, they would have control, because Vice President Kamala Harris has the tie-breaking vote.

Overall, Democratic candidates defied many experts' predictions and outperformed their projections. The president's party often suffers substantial losses in the president's first midterm election; Democrats lost far fewer seats this year than many polls had indicated they would.

A week after the midterm elections, House Republicans held elections for their party's leadership roles in the House. Current House Minority Leader Kevin McCarthy (R-CA) was elected as the Republican leader. (The election for Speaker of the House will be held in January, with all 435 members of

the chamber eligible to vote.) Rep. Steve Scalise (R-LA), current minority whip, was elected majority leader. Rep. Tom Emmer (R-MN), current chairman of the National Republican Congressional Committee (NRCC), was chosen to serve as majority whip. Rep. Elise Stefanik (R-NY) was elected as GOP conference chairwoman, and Rep. Richard Hudson (R-NC) was elected to replace Rep. Emmer as NRCC chairman.

Democrats, meanwhile, had yet to hold their elections at press time; however, the party's leadership will change in the 118th Congress. On Nov. 17, Speaker Nancy Pelosi (D-NY) and Majority Leader Steny Hoyer (D-MD) announced that they would not seek reelection to their leadership positions, though they will remain in Congress. Pelosi's decision leaves the party's top House leadership position open to a new member for the first time since 2002. Democratic Caucus Chairman Hakeem Jeffries (D-NY) is expected to be elected minority leader, with Rep. Katherine Clark (D-MA) as minority whip, Majority Whip James Clyburn (D-SC) as assistant Democratic leader, and Rep. Pete Aguilar (D-CA) as chairman of the Democratic caucus. As this magazine was going to print, it was unclear if any of them would face challengers in the leadership elections.

An election year also means changes to committee leadership posts. The House Committee on Oversight and Reform (COR) is the primary committee of jurisdiction for the Postal Service and federal issues. Current Ranking Member James Comer (R-KY) is expected to serve as chairman of the committee. The committee's current chairwoman,

Penalty Overtime Exclusion

As referenced in Article 8, Sections 4 and 5 of the USPS-NALC National Agreement, the December period (during which penalty overtime regulations are not applicable) consists of four consecutive service weeks. This year, the December period begins Pay Period 26-22, Week 1 (Dec. 3, 2022) and ends Pay Period 01-23, Week 2 (Dec. 30, 2022).

Rep. Carolyn Maloney (D-NY), lost in a primary election and it is unclear who will serve as the panel's lead Democrat.

The Democrats' margin of control in the Senate will be determined by the Dec. 6 runoff in Georgia. In November's election, neither Democratic Sen. Raphael Warnock nor Republican challenger Herschel Walker reached the 50 percent threshold required by Georgia law to win the seat outright.

At press time, the only Senate seat to flip parties was in Pennsylvania. Democrats celebrated a major win with the election of John Fetterman, the state's current lieutenant governor. Fetterman defeated Republican candidate Dr. Mehmet Oz to fill the open seat left by Republican Sen. Pat Toomey, who is retiring at the end of the year.

Another retiring Republican is Ohio Sen. Rob Portman, current ranking member of the Senate Homeland Security and Governmental Affairs Committee (HSGAC), the Senate committee with oversight of the Postal Service. Chairman Gary Peters (D-MI) is expected to lead the committee again, and Sen. Rand Paul (R-KY) is expected to replace Portman as the top Republican.

The newly divided Congress will undoubtedly present new challenges. Regardless, the role of NALC members remains the same—to continue engaging with lawmakers on both sides of the aisle. It is critical, regardless of party, to get to know your representatives and educate them on the issues that are most important to letter carriers, our work and our union. With these ongoing efforts, we can continue to reach our goals in the halls of Con-

gress with pro-letter carrier representatives by our side.

Lame-duck session underway

Following the midterm elections, Congress reconvened for a lame-duck session, the final session of the year and of the 117th Congress. The lame-duck session often is a time for lawmakers to address outstanding issues from the past two years.

Overall, Democratic leaders have signaled that they would like to address the debt limit and pass a government-funding package. The deadline for the latter was Dec. 16.

Regarding labor, there are several key items that still need to be taken up this Congress. These include additional funding for the National Labor Relations Board, which has not received an increase in funding since 2013, and reinstatement of the expired Trade Adjustment Assistance, which supports workers who are threatened with job loss or who become unemployed due to the effects of international trade.

A House vote is needed on the VA Employee Fairness Act of 2021 (H.R. 1948). This legislation, which has 215 co-sponsors, would give collective-bargaining rights to Veterans Health Administration employees, who include nurses, physicians, dentists and physician assistants who care for veterans. Similarly, a Senate vote is needed on the Pregnant Workers Fairness Act (H.R. 1065). This bill, which passed in the House in May 2021, would protect pregnant workers from workplace discrimination.

For lame-duck session updates that could affect letter carriers, check the "Government Affairs" section of nalc.org.

Social Security Fairness Act update

With 305 co-sponsors, the Social Security Fairness Act of 2021 (H.R. 82) has a supermajority of bipartisan support in the House. In September, the House Committee on Ways and Means approved the legislation, leaving a full floor vote as the final hurdle for the legislation in the House.

However, with a busy lame-duck agenda set and party control of the House changing next year, movement on the legislation is stalled and the bill is unlikely to receive a vote in this Congress. For years, legislators have tried to pass this bill, which would repeal the Government Pension Offset (GPO) and the Windfall Elimination Provision (WEP) titles of the Social Security Act, which unfairly reduce or sometimes eliminate Social Security benefits for millions of federal annuitants, including former Civil Service Retirement System letter carriers.

The bill is expected to be reintroduced early in the 118th Congress. The bill's longtime lead, Rep. Rodney Davis (R-IL), lost in a primary election earlier this year. NALC appreciates his work and his continued dedication to the issue and is committed to working with whoever replaces him as Republican lead on the bill, and with the expected co-lead, Rep. Abigail Spanberger (D-VA).

Repealing the WEP and the GPO remains a top priority for NALC, and we will continue lobbying members of Congress on the matter to help our affected members receive the retirement benefits they have earned. **PR**