

# News from Inside the Beltway

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## **Legislative Branch**

- Balance of Power
- FY 2026 Appropriations
- Notable Legislation
- Permitting Reforms

## **Executive Branch**

- Nominations/Confirmations
- NEPA
- ESA
- WOTUS
- FFA/NWRA Streamlining Processes



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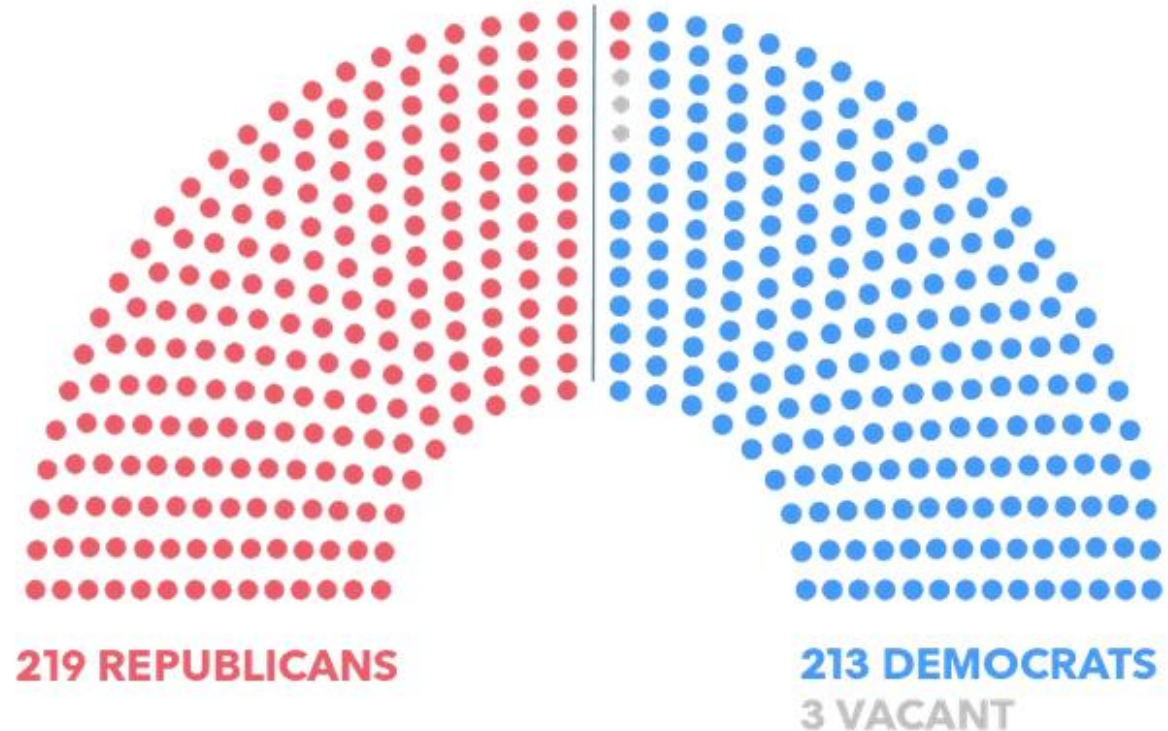


# Legislative Branch





- 220 Republicans, 213 Democrats (433 total)
- 2 current vacancies in TX-18 and NJ-11
- Matt Van Epps (R) won the TN-7 Special Election on Dec 2, sworn in Dec 4
- Republicans currently have a three-vote margin to pass legislation on the floor



# 119<sup>th</sup> House Leadership



## Republican Leadership



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



**Majority Leader  
Steve Scalise (R-La.)**



**Majority Whip  
Tom Emmer (R-Minn.)**

## Democratic Leadership



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



**Minority Whip  
Katherine Clark  
(D-Mass.)**



**Democratic  
Caucus Chair  
Pete Aguilar (D-Calif.)**

# 119<sup>th</sup> House Committee Leadership



## Natural Resources



**Chairman  
Bruce  
Westerman  
(R-AR)**



**Rep. Jared  
Huffman (D-CA)**

## Agriculture



**Chairman GT  
Thompson (R-PA)**



**Rep. David  
Scott (D-GA)**

## Energy and Commerce



**Rep. Bob  
Latta (R-OH)**



**Rep. Frank  
Pallone (D-NJ)**



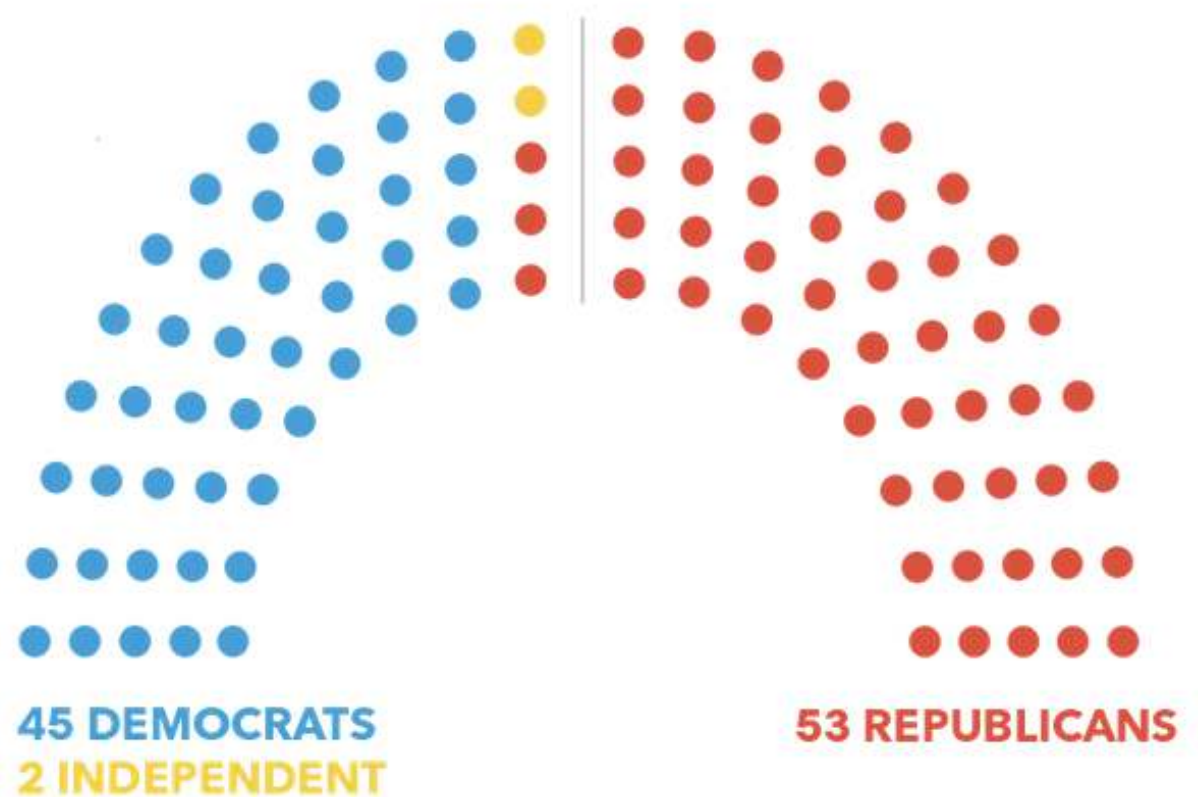
**Rep. Jim  
Costa (D-CA)**



**Brett Guthrie  
(R-KY)**



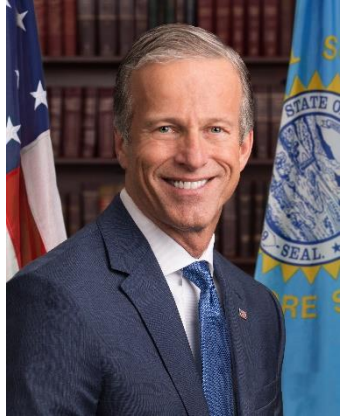
- 53 Republicans, 45 Democrats, and 2 Independents (Caucus with the Democrats)
- 60-vote threshold required for most bills and to overcome filibuster
- Thin margins in both Chambers leave very little room for complications



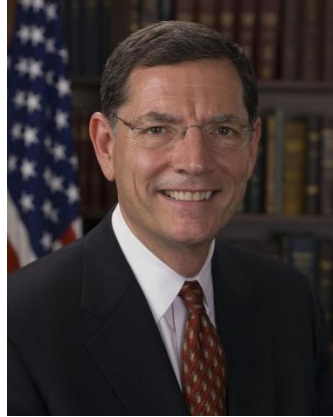
# 119<sup>th</sup> Senate Leadership



## Republican Leadership



Majority Leader  
John Thune (R-SD)



Majority Whip John  
Barrasso (R-WY)



GOP Conference Chair  
Tom Cotton (R-AR)



Policy Committee Chair  
Shelley Moore Capito  
(R-WV)

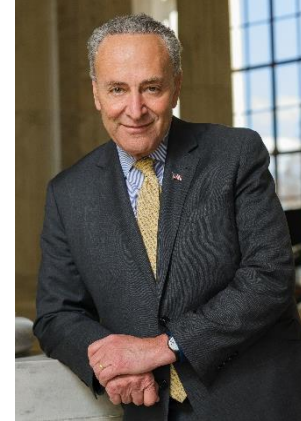


Conference Vice  
Chair James  
Lankford (R-OK)



Senatorial  
Committee Chair  
Tim Scott (R-SC)

## Democratic Leadership



Minority Leader  
Chuck Schumer (D-NY)



Minority Whip Dick  
Durbin (D-IL)



Policy and  
Communications Chair  
Amy Klobuchar (D-MN)



Steering and  
Outreach Chair  
Cory Booker (D-NJ)



Senatorial Campaign  
Committee Chair  
Kristen Gillibrand (D-NY)

# 119<sup>th</sup> Senate Committee Leadership



## Energy & Natural Resources



Sen. Mike Lee (R-UT)



Sen. Martin Heinrich  
(D-NM)

## Environment & Public Works



Shelly Moore  
Capito (R-WV)



Sheldon  
Whitehouse (D-RI)

## Agriculture



John Boozman (R-AR)



Amy Klobuchar (D-MN)



- House: Appropriations Committee has approved all 12 spending bills, and other than the CR, 3 have passed full chamber.
- Senate: Appropriations Committee has approved 8 spending bills, but none have been taken up on the floor other than the CR.
- A 43-day Government shutdown began on October 1 due to lapse of appropriations.
- The temporary Continuing Resolution (CR), enacted on November 12, ended the government shutdown through January 30, 2026. the minibus package funded three FY 2026 spending bills at bipartisan levels: Agriculture, Mil Con-VA, and Legislative Branch.



- Considerably challenging for both Chambers to pass remaining nine FY26 spending bills by January 30, given the current political climate.
  - Congress could potentially pass another CR to keep FY 2025 levels through remainder of FY 2026 and risk yet another shutdown.
  - Potential for additional minibus(es) to set new funding levels for remaining 9 bills.
- Earmarks: a CR for the remaining nine FY26 bills would risk which—if any—earmarks would be included.
  - Minibus integrated in the measure to end the shutdown included earmarks for the three bills.
  - Last year's full CR for FY 2025 did not include any earmarks.
  - Earmarks were last enacted in FY24 through the two minibus packages.
  - There are rumors that any full-year CR could include earmarks included in the marked-up bills.



- H.R. 4776 – Standardizing Permitting and Expediting Economic Development (SPEED) Act
- H.R. 1897 – ESA Amendments Act of 2025
- H.R. 471 – Fix Our Forests Act
- H.R. 302 – Water Rights Protection Act
- H.R. 338 – Every Drop Counts Act
- S. 1254/H.R. 331 – Aquifer Recharge Flexibility Act Amendments of 2025 (passed House)



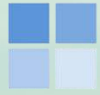
- S. 2753/H.R. 6279 – Urban Canal Modernization Act
- H.R. XXX – ESA amendments to protect Bureau of Reclamation contractors in Sec. 7 consultations
- S. XXX – WISE (Water Infrastructure Supporting Enhancements in Transportation) Grants Act



- President Trump signed OBBB Act (budget reconciliation) into law on July 4, 2025, representing the cornerstone of the administration's domestic agenda.
- Provisions impact energy policy, environmental regulations, infrastructure investment, public lands management, Farm Bill programs, federal healthcare programs, house and community development, immigration, and defense.
- Extends certain Clean Energy Tax Credits
- Provides \$1B to Bureau of Reclamation – nonreimbursable funding for restoration or increased capacity at Reclamation conveyance facilities or increase capacity at Reclamation water storage facilities
- Recognizes hydropower as a critical baseload energy source.



- Updates to Farm Bill safety net programs.
  - Input and commodity price indexes used in Price Loss Coverage (PLC), Agricultural Risk Coverage (ARC), and federal crop insurance to better reflect current market conditions.
- Rescinds all unobligated Inflation Reduction Act (IRA) funds from CSP, EQIP, ACEP, and RCPP and reallocates those funds directly into the Farm Bill baseline.
  - Incorporates \$4 billion of IRA funding into CSP baseline, \$6 billion into EQIP, \$2 billion into ACEP, and \$2 billion in RCPP.
  - Permanent funding through 2031.



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# Executive Branch





- The U.S. Senate recently changed the way they vote to confirm executive branch nominees – a package of nominees can now be considered en bank (previous rules made the Senate vote individually on each nominee, unless there was unanimous consent).
- Andrea Travnicek (DOI ASWS), Jessica Kramer (EPA AA Water), Adam Telle (ASA-CW), Brian Nesvik (DIR-FWS), Michael Boren (USDA – US-NRE), Richard Fordyce (USDA – US-FPAC)
- This week – Tim Petty has been confirmed as Assistant Secretary at the DOC for Oceans and Fisheries (heading up NOAA Fisheries)



- February 25, 2025, CEQ interim final rule removing its own regulation implementing National Environmental Policy Act (NEPA) from the Code of Federal Regulations
- CEQ subsequently released a Guidance Memo outlining next steps for NEPA implementation
- July 3, 2025, interim final rules partially rescinding and updating regulations for NEPA
  - Intended to align procedures with the rescission of the CEQ's NEPA regulations, NEPA amendments included within the Fiscal Responsibility Act (P.L. 118-5), and *Seven County* Supreme Court Decision
- Agencies now maintain a majority of their NEPA procedures in handbooks separate from the Code of Federal Regulations
  - Major shift in federal approach to environmental reviews



- Following the May 2025 release of updated implementation guidance, on November 17, USACE and EPA published proposed rule to revise WOTUS definition (EPA-HQ-OW-2025-0322) to conform with *Sackett* decision.
- Define “relatively permanent” to cover waters that remain standing or continuously flowing either year-round or at least during the “wet season”.
- Define “tributary” so that only relatively permanent bodies meeting specific criteria are considered jurisdictional.
- Define “continuous surface connection” by establishing a new two-part test for jurisdictional wetlands: 1) they must abut a jurisdictional water, and 2) they must contain surface water at least during the “wet season.”



- Remove interstate waters as a standalone jurisdictional category to make clear that crossing state lines alone does not confer federal jurisdiction.
- Clarify what constitutes “excluded ditches” through a proposed definition that distinguishes ditches from other waters and confirms that ditches constructed or excavated entirely in the uplands are excluded.
- Clarify what constitutes “excluded prior converted cropland” through a definition that helps identify such lands and ensures that they only lose their designation when abandoned and reverted to wetlands.
- Clarify “excluded waste treatment systems” with a proposed definition outlining the scope of systems that qualify for the exclusion.
- Reaffirm that groundwater is not WOTUS by adding an explicit exclusion.



- November 21, 2025, FWS and NMFS published four proposed rules to revise ESA implementing regulations
  - Removing the “blanket rule” protections for newly listed threatened species under Section 4(d) and instead require the FWS to adopt species-specific rules that purposefully consider both the rule’s conservation and economic impacts for each species that is listed
  - Amending the rules implementing Section 4(b)(2) which governs FWS’ ability to exclude areas from critical habitat designation to more clearly identify economic and national security factors when deciding which areas to exclude from designation
  - Revising procedures for listing, reclassifying, and delisting threatened and endangered species and designating critical habitat (50 CFR part 424)
  - Reinstating Section 7 consultation process adopted in 2019, with additions (50 CFR part 402)



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Thank You!  
Questions?