

## 2024 Pre-Election Guide and Legislative Outlook

### The Road to 270 Runs Through Pennsylvania – with Georgia (and North Carolina) on Both Candidates' Minds



Heading into Election Day, national polls – and battleground state polls – indicate a neck-and-neck race between Vice President Kamala Harris and former President Donald Trump. So, it boils down to how many of the seven battleground states each candidate can win. As of Oct. 31, the average of polls shows a deadlock race in all seven states with either candidate having leads within the margin of error. The battleground states of Pennsylvania and Georgia will play a pivotal role in determining who wins the presidency. Currently, Harris has 226 electoral votes from states considered solidly or likely Democratic, while Trump has 219 electoral votes from states considered solidly or likely Republican. With 19 electoral votes, Pennsylvania would account for 42% of the electoral votes Harris needs to get to 270; for Trump, the state would provide 37%. While possible, *it would be daunting for either Trump or Harris to get to 270 – and win the White House – without Pennsylvania.*

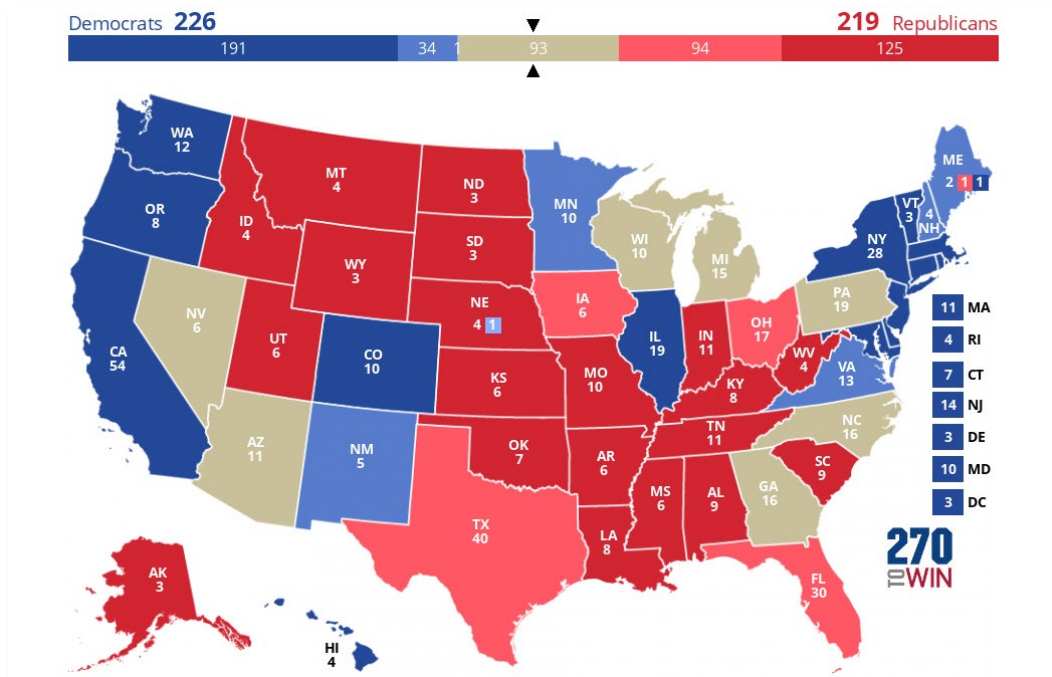
- Seven battleground states to watch on election night: Pennsylvania (19 electoral votes), Georgia (16), North Carolina (16), Michigan (15), Arizona (11), Wisconsin (10), and Nevada (6)
- Trump will return to the White House by sweeping PA, GA, and NC
- Harris will be President by winning PA, GA, and any other battleground state – with the exception of Nevada
- Alternatively for Harris, she can secure the Presidency through the “Blue Wall” states of PA, MI, and WI
- *For a path to victory, both Harris and Trump must win at least one of the three states of Pennsylvania, Georgia, or North Carolina*

#### PRE-ELECTION GUIDE & LEGISLATIVE OUTLOOK

*This pre-election guide provides presidential battleground states to follow on election night, key competitive Senate and House races that could flip, and potential Democratic and Republican leadership for each House and Senate committee in the 119<sup>th</sup> Congress. We also preview legislative priorities during the lame duck, as well as for the incoming administration and the next Congress – for AI & cybersecurity, defense, education, energy, health care, taxes, and transportation.*

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Federal Government Relations

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## 270 Electoral Votes (EVs) to Win Presidency

	Kamala Harris	Donald Trump
<b>EVs Non-Battleground States</b>	<b>226</b>	<b>219</b>
<b>Battleground States (Electoral Votes) &amp; Average of Polls (RealClearPolitics)</b>		
Arizona (11)		+2.4%
Georgia (16)		+2.7%
Michigan (15)	+0.4%	
Nevada (6)		+0.5%
North Carolina (16)		+1.0%
Pennsylvania (19)		+0.8%
Wisconsin (10)	+0.2%	
<b>270 to WIN</b>	226 + ?	219 + ?

Leading up to Election Day, several factors to consider that could affect the outcome:

- In addition to Pennsylvania and Georgia, the state of **North Carolina** could come into play in deciding the winner. While the state has voted for the Republican candidate in 10 of the last 11 presidential elections (President Obama won the state in 2008), Democrats are hoping that Republican gubernatorial candidate Mark Robinson's unpopularity will negatively impact Trump's chances – even if it's rare that a down-ballot race has a significant effect on the top of the ticket.
- Republicans failed to persuade the **Nebraska** legislature to change it from a state – like Maine – that divides its electoral votes by congressional district to a winner-take-all electoral vote state. If Harris were to win the “Blue Wall” states of Pennsylvania, Michigan and Wisconsin but lose every other battleground state – Nevada, Arizona, Georgia and North Carolina – the one electoral vote from Nebraska's more liberal Omaha 2<sup>nd</sup> congressional district would be the difference between a victory of 270-268 electoral college vote, rather than a 269-269 tie.
- While unlikely, a 269-269 tie could also occur if Trump wins the “Blue Wall” states and Nevada (while losing the other battleground states). In the event of an electoral tie, the House of Representatives would determine the winner through a vote of each state delegation. With more delegations currently in Republican control, Trump would almost certainly win.

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In the three critical battleground states of Pennsylvania, Georgia, and North Carolina, here are the keys to victory in each of those states for Trump and Harris:

	Donald Trump	Kamala Harris
Pennsylvania	<p>Build on and expand his 2020 margins in small cities and rural stretches of counties between Pittsburgh and Harrisburg.</p> <p>In addition to expanding his margins in rural areas, Trump would need to win back some voters in suburban areas, especially in the Philadelphia suburbs.</p>	<p>Maintain the same margin of victories as Biden in 2020 in Philadelphia and Pittsburgh.</p> <p>To counter slight movement of support in Philadelphia towards Trump from working-class voters, Harris needs to increase her support among suburban voters.</p>
Georgia	<p>If current national trends hold true, Trump could win Georgia by growing his support among Black voters, who make up one-third of the state.</p> <p>In addition to potentially growing his support in Clayton and Muscogee counties – both with predominantly Black voters – Trump could win the state by building on his 2020 margin of victories in the more populous rural counties of Bartow and Carroll.</p>	<p>Similar to 2020 – and subsequent Senate elections – take advantage of the state’s fast-growing Atlanta suburbs (Democrats gained more than 300,000 voters in the suburbs between 2012 and 2020).</p> <p>Run up margins in five main counties of Atlanta, specifically in Fulton – which includes three affluent suburbs – and Clayton, a county with predominantly Black voters that Democrats typically win with 85 percent of the vote.</p>
North Carolina	<p>Turn out in the areas impacted by Hurricane Helene will be key for a Trump victory as the storm disproportionately hit Republican-leaning areas, including the western county of Swain. Trump won about 55% of the vote in 2020 in the 13 counties hardest hit by Helene.</p> <p>Trump needs to run up his margins in the state’s many rural counties, including in Robeson, Davidson, and Randolph.</p> <p>Considered a must-win by the Trump campaign, North Carolina is the swing state that Trump won the most narrowly in 2020.</p>	<p>While Trump is expected to win with wide margins in rural areas, Harris can target and grow Democratic gains in Charlotte and Raleigh, which include a large percentage of voters with college and university degrees. Counties covering Charlotte and Raleigh have trended heavily in the Democratic direction in both the 2016 and 2020 elections.</p> <p>The bottom line is that Harris needs to expand Democratic margins in populous urban areas to avoid another loss in the state.</p>

In a tight presidential election – with every battleground poll within the margin of error – there are some potential signs that the election could tilt in favor of one candidate – or the other.

## Signs Favoring a Trump Victory...

- Polls show that 28% of respondents believe the country is on the “right track”, which [according](#) to CNN’s Harry Enten, is a sign of danger for Harris as historically, the incumbent party in the White House has lost elections in which about 25% believe that the country was heading in the right direction. In fact, there has not been a single instance of the party in power winning another term when fewer than 39% said the country was heading in the right direction. Since 1980, in elections won by the incumbent’s party, an average of 42% of Americans have said that the country was on the right track.
- Trump has strong support from blue-collar workers and non-college educated white voters – an important voting bloc within the Democratic “Blue Wall” states of PA, MI, and WI (white voters without college degrees account for about half the vote in PA). While Harris has received the endorsement of the United Auto Workers and the Service Employees International Union, two other unions that endorsed Biden four years ago – the International Brotherhood of Teamsters and the International Association of Fire Fighters – declined to back either candidate. The National Border Patrol Council, which represents 16,500 Border Patrol agents, made its first-ever endorsement in a presidential election by supporting Trump.

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- More voters identified as Republican than Democratic heading into Election Day for the first time in the third quarter before a presidential election. According to [Gallup](#), more voters identified as Republican than Democrat by 3 percent in its July to September surveys. In 2020, Democrats had a party identification edge of 5 percent. Gallup noted that “Republicans previously have not had an outright advantage in party affiliation during the third quarter of a presidential election year, and they have rarely outnumbered Democrats in election and nonelection years over the past three decades.” The last time that presidential Election Day exit polls found Republicans on a level playing field with Democrats in party identification was in 2004, when the two were tied. That was also the only year in about three decades that Republicans won the national popular vote.
- Trump has drawn in more Hispanic voters and significantly improved his standing among Black voters. While a majority of Hispanic voters — and a vast share of Black voters — still say they support Harris, even modest erosion in their support could be pivotal for a Trump victory. Four years ago, President Biden won 93% of Black women voters. According to a recent New York Times poll, Harris’s support among Black women is at 83%.

### ... or a Harris Victory?

- American University historian Allan Lichtman, who has accurately predicted nine out of the last 10 presidential elections, [forecasted](#) a Harris victory based on the Vice President having the edge on eight of his 13 historical factors or “keys” to determining the winning candidate.
- Countering Trump’s lead among men, Harris has the edge among women — particularly from women on the issue of abortion rights. According to the Wall Street Journal, women support Harris over Trump by 13% — slightly higher than President Biden’s 12-point edge among women in 2020. Independent women favored Harris 51% to 36%, according to a recent CNN poll, while independent men split 47% for Trump and 40% for Harris. Abortion still ranks as a top issue for women, with two-thirds of the women surveyed saying abortion should be legal in all or most cases. In a recent Wall Street Journal poll of the seven battleground states, 27% of women — compared to only 8% of men — listed abortion as the top issue motivating their vote for president. Harris led Trump by 23% on the issue of abortion.
- A nationwide poll in mid-October (Associated Press and the National Opinion Research Center) found Harris’s favorability to be significantly higher than Trump’s, with 51% of registered voters viewing Harris as a favorable candidate compared to just 40% for Trump. Independent voters, notably, were equally split on their opinions of Harris, while the majority of independent voters (58%) felt negatively about Trump.
- In the key battleground state of Pennsylvania, by the end of September, Democratic voters requested about 881,000 mail-in ballots, compared to 373,000 mail-in registrations for Republicans, according to figures released by Pennsylvania’s secretary of state. Republicans have traditionally been less eager to vote by mail than Democrats. However, both parties have seen the benefits of mail ballots as it reduces the work required to turn out the vote on Election Day, while not having to worry about the unpredictability of weather or issues of long lines. Trump lost Pennsylvania by about 80,000 total votes in 2020 — losing the mail-in vote by 1.4 million. (Nationally, a recent Suffolk University/USA Today national poll of 1,000 likely voters found that of those respondents who had already voted, Harris led Trump by 63% to 34%.)
- The Harris campaign is confident that their campaign infrastructure will be able to turnout her vote — including door-knocking, data collection and targeted advertising — whereas Trump’s growth of support (non-college educated white voters, Blacks and Hispanic voters) is more dependent on first-time, irregular voters. Since joining the race, the Vice President has raised \$1 billion, including one of her fund-raising committees receiving \$633 million in the last quarter — outpacing what Trump raised with two committees combined. The funding edge to Harris will provide her campaign with the resources to persuade swing voters with ads and to organize on the ground.

In the category of “interesting election forecasting methodology” — but with no scientific basis: when the Washington professional football team has won their final home game before a presidential election, the incumbent political party has typically won the presidency. The rule has been accurate in 17 of 19 elections. Since Washington beat the Chicago Bears in the last home game on Oct.

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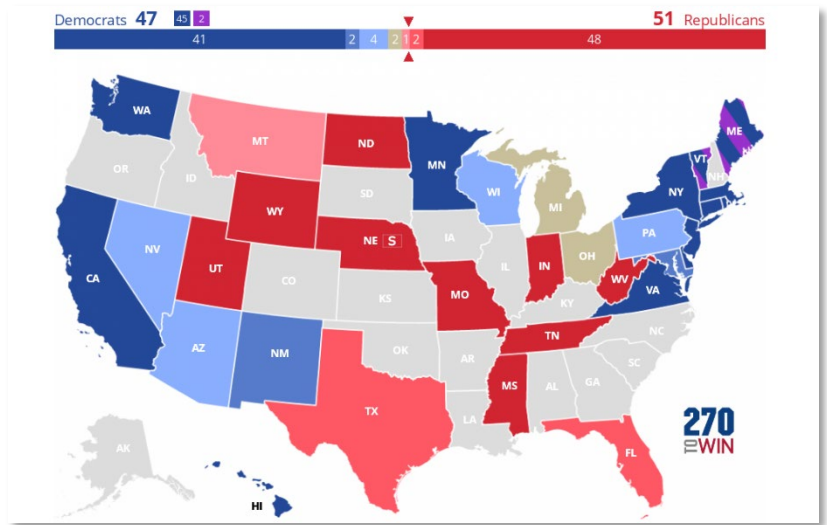
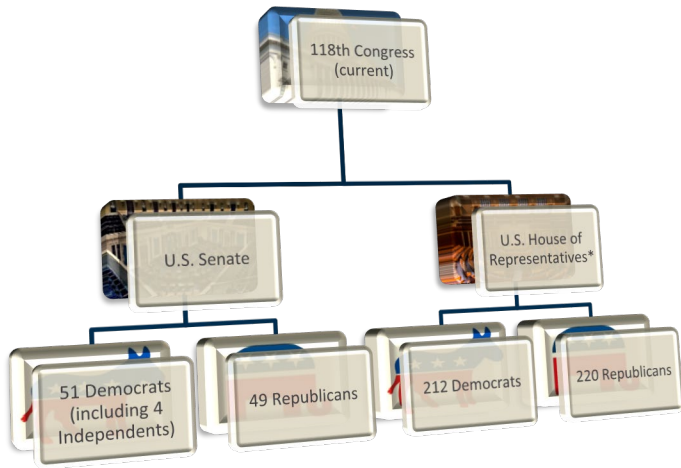
27 before the election – on a last-second Hail Mary touchdown throw – does that mean a Harris victory? Will she be able to pull off a victory in this tight election with a last-second Hail Mary?

Which projection, data point, expert opinion, or poll will turn out to be prescient or accurate? Will a clear winner be projected by the end of election night? Regardless of how the election turns out, history will be made as either Harris will become the first female President or Trump will be the oldest President to be elected at the age of 78. Trump would also be the second President since Grover Cleveland in 1892 to win back the presidency after losing a re-election bid.

The Buchanan Ingersoll & Rooney Federal Government Relations Team will keep you updated with the most relevant and insightful analysis – before and after the election – for what will be an unpredictable election season that will certainly impact every industry. In addition, Buchanan's Pennsylvania and Florida State Government Relations teams are actively tracking election results in their respective states and updating our clients on how the election can impact their operations in Pennsylvania and Florida.

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## Republicans Hopeful of Winning Senate Majority; Control of House a Toss-Up



2024 Senate Races (and projected competitiveness of race)

\*3 House seats currently vacant

- Assuming Sens. Deb Fischer (R-NE), Rick Scott (R-FL) and Ted Cruz (R-TX) defeat their Democratic opponents, Republicans would win control of the Senate by winning in West Virginia – which is all but certain – and Montana, even if they don't flip any other state.
- If former President Donald Trump wins the Presidency, Republicans would not even need a victory in Montana – assuming Sens. Fischer, Scott and Cruz win reelection – as the Vice President would break any tie vote in the Senate.

With the Senate currently comprised of 51 Democrats (including 4 Independents who caucus with Democrats) and 49 Republicans, the GOPs would only need a net gain of two seats (or one seat if Trump wins the Presidency). Of the 34 Senate seats up for election, Democrats will be defending 23 of those seats, and Republicans will only have to defend 11 seats. Furthermore, of the 12 Senate seats “most likely” to flip parties, nine of those are currently held by Democrats. Republicans are all but guaranteed to flip Sen. Joe Manchin’s (I-WV) seat in West Virginia, while Sen. Jon Tester (D-MT) has less than a 50-50 chance to retain his Democratic seat.

### Senate Seats to Follow on Election Night (Democratic seat in blue; Republican seat in red)

State	Republican	Democrat	CPR Rating*	Winner?
Arizona	Kari Lake	Rep. Ruben Gallego	LEAN DEM	
Florida	Sen. Rick Scott	Debbie Mucarsel-Powell	LIKELY REP	
Maryland	Larry Hogan	Angela Alsobrooks	LIKELY DEM	
Michigan	Mike Rogers	Rep. Elissa Slotkin	TOSS-UP	
Montana	Tim Sheehy	Sen. Jon Tester	LEAN REP	
Nebraska	Sen. Deb Fischer	Dan Osborn	LEAN REP	
Nevada	Sam Brown	Sen. Jacky Rosen	LEAN DEM	
Ohio	Bernie Moreno	Sen. Sherrod Brown	TOSS UP	
Pennsylvania	David McCormick	Sen. Bob Casey	TOSS UP	
Texas	Sen. Ted Cruz	Colin Allred	LEAN REP	
Wisconsin	Eric Hovde	Sen. Tammy Baldwin	TOSS UP	
West Virginia	Jim Justice	Glenn Elliott	SOLID REP	

\*CPR: Cook Political Report

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On the House side, Republicans currently have a 220-212 seat majority (with three vacancies – two solid Democratic seats and one solid Republican seat). Two current Republican seats either currently lean (New York 22) or will likely flip (Alabama 02) to Democratic control, while three current Democratic seats (North Carolina 6, 13 and 14) will likely flip to Republican control. According to Cook Political Report, 22 current Democratic seats are either “Toss-Ups” or “Lean Democrat,” whereas 20 current Republican seats are either “Toss-Ups” or “Lean Republican”. Republicans are expected to gain three seats in North Carolina because of redistricting, while Democrats will gain two seats from Louisiana and Alabama. Democrats’ ability to win control of the House will hinge on winning back seats in California and New York that they lost in the 2022 mid-term elections. As such, *control of the House is essentially a “Toss-Up”*.

## House Seats to Follow on Election Night (Democratic seat in blue; Republican seat in red)

Congressional District	Republican	Democrat	CPR Rating
Alaska At-Large	Nick Begich	Rep. Mary Peltola	TOSS-UP
Arizona 01	Rep. Dave Schweikert	Amish Shah	TOSS-UP
Arizona 06	Rep. Juan Ciscomani	Kirsten Engel	TOSS-UP
California 13	Rep. John Duarte	Adam Gray	TOSS-UP
California 22	Rep. David Valadao	Rudy Salas	TOSS-UP
California 27	Rep. Mike Garcia	George Whitesides	TOSS-UP
California 41	Rep. Ken Calvert	Will Rollins	TOSS-UP
California 45	Rep. Michelle Steel	Derek Tran	TOSS-UP
California 47	Scott Baugh	Dave Min	LEAN DEM
California 49	Matt Gunderson	Rep. Mike Levin	LEAN DEM
Colorado 08	Gabe Evans	Rep. Yadira Caraveo	TOSS-UP
Connecticut 05	George Logan	Rep. Jahana Hayes	LEAN DEM
Iowa 01	Rep. Mariannette Miller-Meeks	Christina Bohannon	TOSS-UP
Iowa 03	Rep. Zach Nunn	Lanon Baccam	TOSS-UP
Maine 02	Austin Theriault	Rep. Jared Golden	TOSS-UP
Michigan 07	Tom Barrett	Curtis Hertel	TOSS-UP
Michigan 08	Paul Junge	Kristen McDonald Rivet	TOSS-UP
Michigan 10	Rep. John James	Carl Marlinga	LEAN REP
Minnesota 02	Joe Teirab	Rep. Angie Craig	LEAN DEM
Montana 01	Rep. Ryan Zinke	Monica Tranel	LEAN REP
Nebraska 02	Rep. Don Bacon	Tony Vargas	TOSS-UP
Nevada 03	Drew Johnson	Rep. Susie Lee	LEAN DEM
New Jersey 07	Rep. Tom Kean	Sue Altman	LEAN REP
New Mexico 02	Yvette Herrell	Rep. Gabe Vasquez	TOSS-UP
New York 04	Rep. Anthony D’Esposito	Laura Gillen	TOSS-UP
New York 17	Rep. Mike Lawler	Mondaire Jones	TOSS-UP
New York 18	Alison Esposito	Rep. Pat Ryan	LEAN DEM
New York 19	Rep. Marcus Molinaro	Josh Riley	TOSS-UP
New York 22	Rep. Brandon Williams	John Mannion	LEAN DEM
North Carolina 01	Laurie Buckhout	Rep. Don Davis	TOSS-UP
Ohio 09	Derek Merrin	Rep. Marcy Kaptur	LEAN DEM
Ohio 13	Kevin Coughlin	Rep. Emilia Sykes	LEAN DEM
Oregon 05	Rep. Lori Chavez-DeRemer	Janelle Bynum	TOSS-UP
Oregon 06	Mike Erickson	Rep. Andrea Salinas	LEAN DEM
Pennsylvania 07	Ryan Mackenzie	Rep. Susan Wild	TOSS-UP
Pennsylvania 08	Robert Bresnahan	Rep. Matt Cartwright	TOSS-UP
Pennsylvania 10	Rep. Scott Perry	Janelle Stelson	TOSS-UP
Pennsylvania 17	Rob Mercuri	Rep. Chris Deluzio	LEAN DEM
Texas 34	Mayra Flores	Rep. Vicente Gonzalez	LEAN DEM
Virginia 02	Rep. Jen Kiggans	Missy Smasal	LEAN REP
Virginia 07	Derrick Anderson	Eugene Vindman	TOSS-UP
Washington 03	Joe Kent	Rep. Marie Gluesenkamp Perez	TOSS-UP
Wisconsin 03	Rep. Derrick Van Orden	Rebecca Cooke	LEAN REP

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## 119<sup>th</sup> CONGRESS: POTENTIAL HOUSE COMMITTEE LEADERSHIP

Committee	Democratic	Republican
<i>Agriculture</i>	Rep. David Scott (GA) Rep. Jim Costa (CA) <sup>1</sup>	Rep. Glenn "GT" Thompson (PA)
<i>Appropriations</i>	Rep. Rosa DeLauro (CT)	Rep. Tom Cole (OK)
<i>Armed Services</i>	Rep. Adam Smith (WA)	Rep. Mike Rogers (AL)
<i>Budget</i>	Rep. Jodey Arrington (TX)	Rep. Brendan Boyle (PA)
<i>Education &amp; the Workforce</i>	Rep. Bobby Scott (VA)	Rep. Joe Wilson (SC) <sup>2</sup> Rep. Burgess Owens (UT) Rep. Tim Walberg (MI)
<i>Energy &amp; Commerce</i>	Rep. Frank Pallone (NJ)	Rep. Brett Guthrie (KY) (WA) Rep. Bob Latta (OH) Rep. Richard Hudson (NC)
<i>Financial Services</i>	Rep. Maxine Waters (CA)	Rep. Frank Lucas (OK) Rep. Bill Huizenga (MI) Rep. Andy Barr (KY) Rep. French Hill (AR)
<i>Foreign Affairs</i>	Rep. Gregory Meeks (NY)	Rep. Mike McCaul (TX) <sup>3</sup> Rep. Joe Wilson (SC) Rep. Darrell Issa (CA) Rep. Ann Wagner (MO)
<i>Homeland Security</i>	Rep. Bennie Thompson (MS)	Rep. Mark Green (TN)
<i>House Administration<sup>4</sup></i>	Rep. Joe Morelle (NY)	Rep. Bryan Steil (WI) Rep. Barry Loudermilk (GA)
<i>Intelligence</i>	Rep. Jim Himes (CT)	Rep. Mike Turner (OH)
<i>Judiciary</i>	Rep. Jerry Nadler (NY)	Rep. Jim Jordan (OH) <sup>5</sup>
<i>Natural Resources</i>	Rep. Raul Grijalva (AZ)	Rep. Bruce Westerman (AR)
<i>Oversight &amp; Accountability</i>	Rep. Jamie Raskin (MD)	Rep. James Comer (KY)
<i>Rules</i>	Rep. Jim McGovern (MA)	Rep. Guy Reschenthaler (PA) Rep. Nick Langworthy (NY) Rep. Michelle Fischbach (MN)
<i>Science, Space, and Technology</i>	Rep. Zoe Lofgren (CA)	Rep. Brian Babin (TX)
<i>Small Business</i>	Rep. Nydia Velazquez (NY)	Rep. Roger Williams (TX)
<i>Transportation &amp; Infrastructure</i>	Rep. Rick Larsen (WA)	Rep. Sam Graves (MO) <sup>6</sup> Rep. Rick Crawford (AR)
<i>Veterans' Affairs</i>	Rep. Mark Takano (VA)	Rep. Mike Bost (IL)
<i>Ways &amp; Means</i>	Rep. Richard Neal (MA)	Rep. Jason Smith (MO)
<i>Select Committee on China</i>	Rep. Raja Krishnamoorthi (IL)	Rep. John Moolenaar (MI)

<sup>1</sup> Rep. Costa would be next in line if Rep. Scott moves on from leading Agriculture Committee on the Democratic side.

<sup>2</sup> Rep. Wilson may go for the top spot on the Foreign Affairs Committee.

<sup>3</sup> Rep. McCaul is term-limited but is seeking a waiver to continue to lead the Committee on the Republican side.

<sup>4</sup> Leadership on House Administration and Rules committees are typically appointed by House leadership.

<sup>5</sup> Rep. Jordan could seek a GOP leadership position, and if successful, Rep. Issa could lead the Committee on the GOP side.

<sup>6</sup> Rep. Graves is term-limited but is seeking a waiver to continue to lead Transportation on the Republican side.



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## 119<sup>th</sup> CONGRESS: POTENTIAL SENATE COMMITTEE LEADERSHIP

Committee	Republican	Democratic
<i>Agriculture, Nutrition, and Forestry</i>	Sen. John Boozman (AR)	Sen. Amy Klobuchar (MN)
<i>Appropriations</i>	Sen. Susan Collins (ME) Sen. Mitch McConnell (KY) <sup>7</sup>	Sen. Patty Murray (WA)
<i>Armed Services</i>	Sen. Roger Wicker (MS)	Sen. Jack Reed (RI)
<i>Banking, Housing, and Urban Affairs</i>	Sen. Tim Scott (SC)	Sen. Sherrod Brown (OH) <sup>8</sup> Sen. Elizabeth Warren (MA)
<i>Budget</i>	Sen. Lindsey Graham (SC) <sup>9</sup> Sen. Chuck Grassley (IA)	Sen. Sheldon Whitehouse (RI) Sen. Jeff Merkley (OR) <sup>10</sup>
<i>Commerce, Science, and Transportation</i>	Sen. Ted Cruz (TX) Sen. John Thune (SD) <sup>11</sup> Sen. Jerry Moran (KS)	Sen. Maria Cantwell (WA)
<i>Energy &amp; Natural Resources</i>	Sen. John Barrasso (WY) Sen. Mike Lee (UT) <sup>12</sup>	Sen. Martin Heinrich (NM)
<i>Environment &amp; Public Works</i>	Sen. Shelley Moore Capito (WV)	Sen. Sheldon Whitehouse (RI) Sen. Jeff Merkley (OR) <sup>13</sup>
<i>Finance</i>	Sen. Mike Crapo (ID)	Sen. Ron Wyden (OR)
<i>Foreign Relations</i>	Sen. Jim Risch (ID)	Sen. Jeanne Shaheen (NH)
<i>Health, Education, Labor, and Pensions</i>	Sen. Bill Cassidy (LA) Sen. Susan Collins (ME) <sup>14</sup>	Sen. Bernie Sanders (VT)
<i>Homeland Security &amp; Governmental Affairs</i>	Sen. Rand Paul (KY)	Sen. Gary Peters (MI)
<i>Judiciary</i>	Sen. Chuck Grassley (IA) Sen. Lindsey Graham (SC)	Sen. Dick Durbin (IL)
<i>Rules &amp; Administration</i>	Sen. Deb Fischer (NE)	Sen. Amy Klobuchar (MN) Sen. Jeff Merkley (OR) Sen. Alex Padilla (CA)
<i>Small Business &amp; Entrepreneurship</i>	Sen. Joni Ernst (IA)	Sen. Ed Markey (MA)
<i>Veterans' Affairs</i>	Sen. Jerry Moran (KS) Sen. Mike Rounds (SD)	Sen. Jon Tester (MT) Sen. Richard Blumenthal (CT)
<i>Select Committee on Intelligence</i>	Sen. Marco Rubio (FL)	Sen. Mark Warner (VA)
<i>Special Committee on Aging</i>	Sen. Rick Scott (FL)	Sen. Bob Casey (PA) <sup>15</sup> Sen. Kirsten Gillibrand (NY)

<sup>7</sup> Sen. McConnell will be stepping down as Republican leader and may use his seniority to bump Sen. Collins to lead Republicans on Appropriations.

<sup>8</sup> Sen. Brown will remain Democratic committee leader if he wins re-election.

<sup>9</sup> If Republicans win control of the Senate, Sen. Grassley is expected to chair the Senate Judiciary, leaving Sen. Graham to chair the Budget Committee on the Republican side. If Democrats retain control, Sen. Graham would be Ranking Member on Judiciary, and Sen. Grassley would be Ranking on Budget.

<sup>10</sup> Sen. Whitehouse could continue to lead Budget on the Democratic side – or become top Democrat on Environment & Public Works, which would allow Sen. Merkley to lead Budget.

<sup>11</sup> Sen. Cruz would continue to lead the Committee assuming he wins re-election; Sen. Thune could use his seniority to lead Commerce if he doesn't become the next Republican leader.

<sup>12</sup> Sen. Barrasso could secure a Republican leadership role, which would allow Sen. Lee to lead Republicans on Energy and Natural Resources.

<sup>13</sup> Sen. Whitehouse may continue to lead Budget – especially if Democrats retain control of the Senate under a Harris presidency – which would open the top Democratic slot on EPW to Sen. Merkley.

<sup>14</sup> Sen. Collins could become the top Republican on the HELP Committee if she gets bumped by Sen. McConnell on Appropriations.

<sup>15</sup> Sen. Scott and Sen. Casey would likely lead Aging as long as they win re-election.

## What to Expect: POST-ELECTION

Before commencing with the 119<sup>th</sup> Congress in the new year under the next presidency, Congress still has several unfinished tasks to complete during a lame-duck session, including appropriations to fund government operations, the annual National Defense Authorization Act (NDAA), reauthorization of the Farm Bill, and funding for veterans' care and disaster aid.

**Appropriations:** Congress will have about five weeks after the elections to pass the 12 annual spending bills to fund government operations – or pass another continuing resolution (CR) to extend funding beyond December 20. Optimistic that they'll sweep the November elections, House Republican leaders have indicated that they'd want to quickly wrap up in December by passing another stopgap bill into the new year – allowing the next Congress and President to influence the spending bills for FY 2025. Speaker Mike Johnson (R-LA) has stated that there will not be an omnibus during the holidays. House and Senate Democratic leaders, on the other hand, along with several Republican appropriators, have expressed an interest in finishing up all the spending bills by the end of the calendar year to clear the decks for the incoming administration.

Even if both sides agreed to wrap up appropriations work in the lame duck, there will be little time and many differences and competing priorities. In addition to policy differences, the House and Senate are nearly \$90 billion apart on overall discretionary spending.

**National Defense Authorization Act (NDAA):** House and Senate Armed Services committee leaders have continued discussions on finalizing the annual National Defense Authorization Act (NDAA) – hoping to move quickly when Congress returns after the November elections. Lawmakers have to resolve differences between the House version which contains conservative measures that Democrats largely oppose, and the Senate version that would spend billions of dollars more than was agreed to in the 2023 debt limit law.

The final NDAA bill will likely remove many of the contentious provisions in the House version — assuming last year's process repeats itself. As such, the biggest sticking point is the gap in funding levels between the two chambers. Congress has passed the bill annually for more than 60 years.

**Farm Bill:** Congress has until December 31 before funds for many farm and nutrition programs expire under the current farm bill. Lawmakers are hopeful that they can push through a five-year reauthorization bill that would update subsidies for producers and nutrition assistance. The House Agriculture Committee approved its version in May, while the Senate has only released a summary of proposed policies.

Differences between the House and Senate versions include funds for climate-smart practices, the tool for setting the Supplemental Nutrition Assistance Program (SNAP), and the Secretary of Agriculture's flexibility to use the Commodity Credit Corporation's Section 5 authority.

**Veterans' Care:** Although Congress was able to push through a bill providing the Department of Veterans Affairs (VA) with \$2.3 billion for compensation and pensions and \$597 million for readjustment benefits, the VA still faces a \$12 billion shortfall in its health care accounts for FY 2025 as a result of higher-than-anticipated toxic exposure claims. The funding shortfall was included in the "anomalies" request the White House sent to Congress – but was ultimately left out of the CR.

**Disaster Aid:** A day before Congress left town, the Biden Administration approved an emergency declaration for Florida ahead of Hurricane Helene's landfall, while the continuing resolution also included provisions to allow FEMA access to \$20 billion starting October 1. However, the CR did not include larger supplemental funding requested to address long term needs from storm, flood, wildfire and other costly damage from disasters.

While not considered "must-pass", **permitting reform** through proposed changes to the National Environmental Policy Act (NEPA) could be on the agenda during a lame-duck session. Retiring Senate Energy and Natural Resources Committee Chairman Joe Manchin's (I-WV) long-sought comprehensive overhaul of the permitting process remains elusive – especially with a busy agenda with little time remaining before the start of the new Congress and presidency.

Whatever legislation doesn't cross the finish line, the slate would be wiped clean for the new Congress next year (other than possibly finishing up FY 2025 government funding), while the new President looks to aggressively implement his or her priorities in the first 100 days. The next President's agenda will be helped or hindered based on which party controls each chamber of Congress. Presidents Biden, Trump and Obama were able to push through an aggressive agenda as their party all had control of the House and Senate at the start of their first terms.

Former **President Trump** has promised to push through a slew of executive actions as soon as he returns to the White House – including vowing to close the southern border, cut funding for education programs that promote gender or racial equity, and increase American energy independence through oil drilling. Trump has also promised to repeal several of President Biden's executive orders and actions on his first day, including the "Green

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New Deal”, the electric vehicle “mandate”, guardrails on government use of artificial intelligence (AI), background checks for gun purchases, and promotion of diversity, equity and inclusion in the federal workforce. While Trump would have broad powers to push through several of his promises, many executive actions could be stalled through legal challenges – as was the case in his first term.

**Vice President Kamala Harris**, on the other hand, has said relatively less than Trump about what she would do in her first days as President. Regardless, Harris would be eager to quickly put a stamp on her agenda and dispel any notion that her Presidency will just be a continuation of President Biden’s policies. She has alluded to addressing middle-class concerns and angst by implementing an economic plan to help consumers, families, new home buyers and small businesses. Harris would focus on putting in motion her economic policies, through her “Opportunity Economy” agenda, aimed at helping middle-class Americans by capping drug costs; providing more aid for parents, caregivers, and new homebuyers; investing in small businesses; and banning alleged price-gouging by food companies to address high inflation.

Regardless of who wins the presidency, the new administration will have to consider the impact of the Supreme Court’s ruling in June throwing out the four-decades-old **Chevron doctrine**, which had directed courts to defer to federal agencies’ interpretation of ambiguous laws. A Harris administration would undoubtedly be more hamstrung than a Trump administration in pushing through a more forceful regulatory agenda – particularly agency rules on healthcare, climate change, energy, and labor. Current and future regulations relating to, for example, overtime rules, student loan forgiveness and environmental, social and governance investing would be ripe targets for legal challenges under a Harris administration.

## What to Expect: AI, CYBERSECURITY & DATA PRIVACY

### **...Under a Trump administration**

If Donald Trump secures a second term, anticipate a significant shift in the U.S. approach to cybersecurity and artificial intelligence (AI). The Trump administration would likely focus on a more aggressive stance against nation-state cyber threats, particularly from China and Iran, while also revisiting the regulatory framework established during the Biden administration. Trump's past rhetoric suggests a dual approach: advocating for both offensive cyber operations and a lighter regulatory touch on emerging technologies.

Expect a Trump administration to prioritize the reorganization of key cybersecurity agencies, potentially reshaping the Cybersecurity and Infrastructure Security Agency (CISA) and U.S. Cyber Command. Initiatives from conservative think tanks like the Heritage Foundation and the Foundation for the Defense of Democracies may influence this direction, proposing a shift toward incentivizing cyber standards for private companies instead of mandatory regulations. This could lead to a more business-friendly environment, albeit at the risk of adequate cybersecurity protections.

Trump's approach may also include a reevaluation of the U.S. response to cyberattacks, particularly in light of recent incidents, such as Iran's hack of his re-election campaign. His administration could pivot toward a more offensive posture, focusing on countering threats from adversaries like China and Iran, while potentially sidelining Russia in favor of a broader strategic focus.

- *Expect a Trump administration to prioritize the reorganization of key cybersecurity agencies, potentially reshaping the Cybersecurity and Infrastructure Security Agency (CISA) and U.S. Cyber Command.*
- *Expect Trump to weigh the impact of data privacy regulations on businesses and government agencies more heavily than on the privacy rights of individuals.*
- *Repealing Biden's executive order on AI, a Trump administration would push for AI development that aligns with free speech and harnessing AI's innovative potential.*

Expect Trump to weigh the impact of data privacy regulations on businesses and government agencies more heavily than on the privacy rights of individuals. Similar to the repeal of many Obama-era privacy regulations early in his first presidency, expect Trump to roll back many Biden data privacy regulations, such as the Executive Order to Protect Americans' Sensitive Personal Data. This deregulation will likely result in further expansion of the tapestry of comprehensive data privacy regulations enacted at the state level.

In terms of AI regulation, a Trump administration would also likely repeal Biden's executive order on AI, which emphasizes safety and ethical considerations. Instead, expect a push for AI development that aligns with free speech and harnessing AI's innovative potential. This could foster an environment of self-regulation among tech companies, allowing for greater innovation but potentially at the cost of oversight and consumer protection.

### **...Under a Harris administration**

If Kamala Harris becomes President, expect a continuation of the Biden Administration's focus on robust cybersecurity measures, privacy controls, and AI regulation. Harris has a long track record in tech policy, having previously led initiatives aimed at enhancing data privacy and cybersecurity during her tenure as California's Attorney General and later as Vice President. Her administration is likely to prioritize consumer protection, holding companies accountable for data breaches and cybersecurity flaws.

- *Under a Harris administration, expect a continuation of the Biden administration's focus on robust cybersecurity measures, privacy controls, and AI regulation.*
- *Building upon the Biden administration's executive order on AI, a Harris administration would likely emphasize establishing guidelines that seek to balance public safety and privacy considerations with innovation.*
- *On cybersecurity, Harris is anticipated to maintain a strong stance against nation-state threats, with a particular focus on improving the security of critical infrastructure through regulation.*

Harris is expected to build upon the Biden administration's executive order on AI, which aims to ensure the safe and ethical development of AI technologies. Her approach would likely emphasize establishing guidelines that seek to balance public safety and privacy considerations with

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innovation, including addressing concerns about bias in AI systems and ensuring that vulnerable populations are protected from potential harms associated with AI deployment.

On cybersecurity, Harris is anticipated to maintain a strong stance against nation-state threats, with a particular focus on improving the security of critical infrastructure through regulation. Her administration may push for increased investment in cybersecurity measures and enhance partnerships with tech companies to address emerging threats effectively.

Moreover, a Harris administration could advocate for comprehensive federal data privacy legislation, potentially mirroring the European Union's General Data Protection Regulation (GDPR). This move would likely resonate with consumer advocacy groups and align with her history of supporting privacy rights.

As the 2024 presidential election approaches, the stakes for AI, cybersecurity, and data privacy are high. A Trump administration may lean toward deregulation and a more aggressive posture against perceived threats, while a Harris administration is expected to focus on robust oversight and consumer protection. Stakeholders in the tech industry and cybersecurity sectors should prepare for a dynamic regulatory landscape that could shift dramatically depending on the election outcome.

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## What to Expect: DEFENSE

### ***...Under a Trump administration***

During President Trump's first administration, his position on national defense could best be summed up as "go big AND go home", in that he advocated for a large and well-equipped military as a deterrent against near-peer military competitors China and Russia, and a recognition that a rebalance of American forces in Europe and elsewhere was far overdue. Four years later, President Trump would step into office with a number of fires to put out, including the Russia-Ukraine conflict; the Israel-Hamas war; Iran's global presence resulting in America's counterterrorism engagements, including in Iraq, Egypt, Kenya, Lebanon, Libya, Mali, Mauritania, Niger, Nigeria and Somalia.

Leading up to Election Day, former President Trump discussed the need for a rebalancing of troop numbers in Europe without sacrificing the deterrent effect those troops have had on Russia, at least before the Obama-Biden and Biden-Harris administrations.

Trump might have ruffled more than a few feathers in the Pentagon at the end of his last term in office, but he has been vocal about strengthening America's military. As Trump puts it, "the free world is safest when America is strongest," and that means investing in the manufacturing infrastructure needed to build a bigger military, including his call for a 350+-ship Navy.

If Trump is reelected, count on increases to defense spending, with a heavy emphasis on the Navy's COLUMBIA Class Submarine program.

- *Under a Trump administration, expect an increase in Defense spending, with a heavy emphasis on the Navy's COLUMBIA Class Submarine.*
- *Watch for the President to spend more time and money on dominating space and protecting America's interests there.*
- *Look for the President to be focused on China, Russia and Iran, with strong defense investments as a way to keep all three in check.*

With his swift creation of the U.S. Space Force and the re-establishment of U.S. Space Command as one of eleven unified combatant commands, watch for President Trump to spend more time and money on dominating space and protecting America's interests there.

In its annual report to Congress, the Office of the Secretary of Defense claims that the People's Republic of China (PRC) "has marshalled the resources, technology, and political will over the past two decades to strengthen and modernize the People's Liberation Army in nearly every respect." According to the report, "China is already ahead of the United States in certain areas such as shipbuilding (the PRC has the largest navy in the world); land-based conventional ballistic and cruise missiles; and integrated air defense systems." The PRC has one of the world's largest forces of advanced long-range surface-to-air systems.

In a second term as President, look for Trump's focus to be on China, Russia and Iran, with strong defense investments as a way to keep all three in check.

### ***...Under a Harris administration***

A President Harris is largely expected to continue many of President Biden's foreign policy initiatives, including his approach to conflicts in Israel and Ukraine. For example, Harris has promoted Biden's efforts to strengthen the NATO military alliance and stand up to Russian President Vladimir Putin. She was the administration's representative at each of the past three Munich Security Conferences, during which she met with Ukrainian President Volodymyr Zelensky.

As president, Harris is likely to approach Israel's war with Hamas similarly to her predecessor, though she may be more sympathetic to the humanitarian plight of Palestinians in Gaza. Further, she's called for a cease-fire and pressured Israel to do more to facilitate aid deliveries to Gaza.

While raising concerns about China's aggressive behaviors, Harris has emphasized the need to engage with China to avoid escalating any potential conflicts. However, Harris has made clear her support for Taiwan and would "continue to oppose any unilateral change to the status quo" to the island nation and would, as she has stated, "continue to support Taiwan's self-defense, consistent with our long-standing policy."

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With Command Sergeant Major-turned Minnesota Governor turned Vice President Tim Walz by her side, expect a Harris administration to invest in America's National Guard, something that is long overdue, and a continuation of the Biden administration's emphasis on building a more robust defense industrial base.

- *Look for ramped-up efforts to better equip the National Guard, while reassuring allies around the world who have been rattled by President Biden's retreat from Afghanistan and the turmoil that exists in Ukraine, Israel, throughout Africa and the Indo-Pacific region.*
- *Watch for a continued emphasis on tightening Buy American requirements.*
- *Expect a smaller footprint of U.S. troops in the Middle East, making conditions in Syria, Iraq and elsewhere incredibly more complicated, and unstable.*

Criticized for not firmly stating positions on a number of issues, Harris has not provided details on how defense spending might change in her administration.

In his National Security Strategy, President Biden emphasized the strengthening of America's partnership with NATO and deepening America's core alliances in the Indo-Pacific region. Will a President Harris do the same? President Biden tightened Buy American requirements for federal acquisitions but would it be a priority for a Harris administration?

Of all the duties assigned to America's Chief Executive, our defense posture can arguably be President Harris' most important responsibility and perhaps the most difficult to predict.

## What to Expect: EDUCATION

### ***...Under a Trump administration***

Under a second Trump administration, significant changes to the education landscape are expected, including a continued push to dismantle the Department of Education. Throughout his first term, Trump advocated for substantial cuts to the Education Department's budget, arguing that many federal education programs are ineffective and waste taxpayer dollars.

A key priority for the Trump administration would be the expansion of school choice, including increased support for charter schools, voucher programs, and alternatives to traditional public schooling. This would likely involve increased funding for initiatives that allow families to choose their educational options, while also aiming to reduce federal oversight and regulations. By promoting local control over education policies and rolling back initiatives from the previous Biden administration, the Trump administration would seek to empower states and communities in shaping their education systems.

In terms of student loan policies, the Trump administration is expected to focus on targeted student loan forgiveness rather than broad debt cancellation, including prioritizing forgiveness for specific groups, such as public service workers, alongside expanding income-driven repayment plans. By allowing borrowers to pay a percentage of their income over time before any remaining debt is forgiven, the administration may also encourage state-level programs by providing incentives for states to implement their own forgiveness initiatives.

- *Education Funding: Push to eliminate the Department of Education and shift funding to states.*
- *School Choice: Expand support for charter schools and vouchers.*
- *Loan Forgiveness: Targeted forgiveness for specific groups and income-driven repayment.*
- *Free Speech: Protect free speech on campuses and reform work-study programs.*

The Trump administration is also likely to emphasize free speech protections on college campuses. This may involve advocating for legislation that prevents institutions from limiting viewpoints and promoting policies that uphold free expression in classrooms and student organizations. Additionally, efforts to challenge "woke" ideologies, such as critical race theory, could result in cutting federal funding to schools that promote this concept.

For higher education, Trump has previously called for reforms to the Federal Work Study (FWS) program to better support workforce and career-oriented opportunities for low-income undergraduate students. By shifting the focus from subsidized employment to work-based learning, the administration would aim to enhance students' chances of developing workplace skills that lead to better job prospects after graduation. Overall, while Trump's education policies would likely reflect his previous initiatives, the effectiveness and implementation of these proposals will depend on the political landscape and public sentiment surrounding education issues in the coming years.

### ***...Under a Harris administration***

Under a Harris administration, education policy is expected to closely align with the current Biden administration's initiatives, particularly in enhancing oversight of accreditors. The Harris administration would aim to implement new policies that would require accreditors to take timely action when colleges fail to comply with established guidelines. Additionally, the Education Department would conduct more frequent reviews of high-risk accreditors to ensure accountability and maintain educational standards across institutions.

A key priority for the Harris administration would be the establishment of a nationwide universal pre-kindergarten program, which seeks to provide access to quality early education for all children, regardless of income. Harris has expressed strong opposition to school vouchers, tuition tax credits, and opportunity scholarships, emphasizing that such programs often subsidize families already enrolled in private or religious schools. This stance reflects a commitment to strengthening public education and ensuring equitable access to resources for all students.

In terms of higher education, the Harris administration would support making public colleges and universities tuition-free for families earning below \$125,000 annually. Proposed reforms to the student loan system include creating a more manageable repayment structure based on income and partnering with state governments to increase Pell Grants. The administration would also aim to work towards tuition-free community colleges, making higher education more accessible and affordable for students from diverse backgrounds.

Addressing funding disparities among school districts would be another critical focus of the Harris administration, including advocating for policies that direct resources to underfunded schools and support the Fair Funding Schools Act. The administration would also seek to implement curricular reforms that promote diverse perspectives and histories, fostering a more inclusive educational environment. Furthermore, the administration would support teachers through professional development and addressing teacher shortages, which are vital for improving overall education quality.



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- *Universal Pre-K: Nationwide access to quality early education.*
- *Tuition-Free College: Tuition-free public colleges for families under \$125,000.*
- *Funding Equity: Address disparities in local school funding.*
- *Inclusive Curriculum: Diverse perspectives in educational curricula.*

Finally, the Harris administration is likely to emphasize the impact of COVID-19 on education, focusing on recovery efforts and supporting schools in implementing safety measures and resources for remote learning. Overall, the Harris administration's education policies would reflect a commitment to equity, accessibility, and inclusivity, aiming to create a more robust and equitable education system for all students.

## What to Expect: ENERGY & ENVIRONMENT

### **...Under a Trump administration**

A second term would almost certainly look very similar to the first – continued deregulation and strong support for the fossil fuel industry. However, the legislative scope of a second term would largely depend on which party controls the House and the Senate. Republican control of Congress would likely lead to efforts to repeal many of the climate provisions in the Inflation Reduction Act (IRA), although the most likely outcome is a rollback of the electrical vehicle (EV) provisions. A divided Congress would severely reduce the chances of enacting any major legislation in the energy and/or environmental space. Thus, the President would continue and expand his use of executive orders and regulatory authority – through agencies like the Environmental Protection Agency (EPA), the Federal Energy Regulatory Commission (FERC), and the Department of Interior (DOI) – to advance his agenda.

- *While another Trump administration would continue to deregulate and support the fossil fuel industry, the legislative scope of a second term would largely depend on which party controls the House and the Senate.*
- *The President would continue and expand his use of executive orders and regulatory authority – through agencies like the Environmental Protection Agency (EPA), the Federal Energy Regulatory Commission (FERC), and the Department of Interior (DOI) – to advance his agenda.*
- *President Trump would continue his aggressive approach of deregulation through efforts to open additional federal lands to natural resource development, the approval of additional oil and gas pipelines, and the approval of more liquefied natural gas (LNG) export terminals.*

Trump would seek to quickly eliminate the current pause on new licenses for the export of liquefied natural gas (LNG) put in place by the Biden administration. Trump would continue his aggressive approach of deregulation through efforts to open additional federal lands to natural resource development, the approval of additional oil and gas pipelines, and the approval of more liquefied natural gas (LNG) export terminals. In addition, another Trump term would further attempt to limit the scope of a state's permitting authority – particularly over pipelines and other natural resource projects – and provide additional and significant weight to factoring in the cost of a proposed regulation, particularly at the EPA. Additionally, a Trump administration would seek to reduce staff significantly at departments and agencies like the EPA and DOI. Moreover, a FERC with a Republican chairman would continue the fairly routine approval of pipeline and LNG export projects and decisions affecting the interstate transmission of electricity and the power markets.

### **...Under a Harris administration**

A President Harris would seek to protect and expand the clean energy investments made by the current administration and focus on further emissions reductions, efforts to expand renewable energy production and the transition to electric vehicles (EVs). However, similar to a Trump administration, the legislative scope of action in a Harris administration will largely depend on which party controls the House and the Senate. Democratic control of Congress would likely lead to further efforts to expand investments in clean energy and electric vehicles, a continued focus on climate equity and social justice efforts, and environmentally friendly Cabinet members. Democrats may even attempt to implement a carbon border adjustment mechanism. A divided Congress, on the other hand, would severely reduce the chances of enacting any major legislation in the energy and/or environment space. Thus, a President Harris would need to rely on executive actions to advance her agenda, like Executive Orders, rulemaking authority and actions of her departments and agencies to advance certain aspects of her agenda.

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- *A President Harris would seek to protect and expand the clean energy investments made under the Biden Administration and focus on further emissions reductions, efforts to expand renewable energy production and the transition to electric vehicles (EVs).*
- *A Harris administration, relying on executive actions, would regulate carbon emissions, prioritize renewable energy projects on federal lands and water, and continue efforts focused on environmental justice and rebuilding and modernizing the United States' electrical grid.*
- *On the oil and natural gas front, Harris has stated she will not ban fracking – though FERC would also continue to utilize its substantial rulemaking authority to create a favorable environment within the power markets for renewable energy.*

A Harris administration, relying on executive actions, would regulate carbon emissions, prioritize renewable energy projects on federal lands and water as opposed to fossil fuel projects, and continue efforts focused on environmental justice and rebuilding and modernizing the United States' electrical grid. While Harris would likely block some oil and gas projects, her Administration would almost certainly provide additional scrutiny and conditions before approving a project. On the LNG front, while Harris would likely lift the moratorium on new export licenses, she would again likely provide additional scrutiny and conditions before approving a license. Additionally, on the oil and natural gas front, Harris has stated she will not ban fracking – though a Harris FERC would also continue to utilize its substantial rulemaking authority to create a favorable environment within the power markets for renewable energy. Finally, many of Harris' regulatory actions would almost certainly face strong pushback in the courts.

## What to Expect: HEALTH CARE

### **...Under a Trump administration**

During a second Trump administration, the healthcare agenda is expected to largely mirror the initiatives from his first term, focusing on reducing costs and increasing choice for consumers. A central aspect of his administration's healthcare strategy was to repeal and replace of the Affordable Care Act (ACA). This has included efforts to dismantle individual mandates and expand short-term health plans, which aim to provide more flexible coverage options. Additionally, the Trump administration emphasized lowering prescription drug prices through various measures, such as the Right to Try Act, which allows patients to access experimental drugs, and the promotion of telehealth services.

While specific details of new proposals remain sparse, it is anticipated that the Trump administration will continue its push to replace the ACA with a new framework for healthcare coverage. Expected initiatives may include negotiations to lower prescription drug prices and strategies to promote competition among pharmaceutical companies. Furthermore, there will likely be continued advocacy for changes to Medicaid, including support for work requirements and increased state flexibility in managing their programs. These efforts are aimed at enhancing cost efficiency and tailoring Medicaid to better meet the needs of individual states. Additionally, it is expected that Trump will advocate for a revamped version of the International Reference Pricing model for prescription drugs, which seeks to align U.S. drug prices with those in other countries, aiming to reduce costs for consumers while maintaining access to necessary medications.

In terms of Medicare, the administration is likely to push for expanded Medicare Advantage plans, which could offer lower premiums and additional benefits to enrollees. There may also be initiatives aimed at allowing drug price negotiations within Medicare and promoting innovative care delivery models. Although the basic structure of Medicare is expected to remain unchanged, these modifications could significantly impact how beneficiaries access and afford their healthcare services – while also maintaining Trump's campaign pledge to not "cut Medicare" but provide savings.

- *ACA Repeal Efforts: Continued push to dismantle the Affordable Care Act and expand short-term plans.*
- *Medicare/Medicaid Reforms: Expansion of Medicare Advantage and state flexibility in Medicaid with work requirements.*
- *Price Transparency & Telehealth: Emphasis on clear healthcare cost disclosures and expanded telehealth services.*
- *Home Care for Seniors: Increased telehealth access and support for unpaid family caregivers.*

Another priority for the Trump administration would be the acceleration of system-wide price transparency initiatives. This includes mandating clear disclosure of out-of-pocket costs, negotiated rates, and service fees upfront, which aims to empower consumers in making informed healthcare decisions. Additionally, the administration's focus on expanding telehealth services, which gained traction during the COVID-19 pandemic, would be expected to continue, enhancing access to care for patients, particularly seniors.

In response to Harris's Medicare home care proposal, Trump indicated that his administration would prioritize home care benefits by increasing access to telehealth for seniors enrolled in Medicare Advantage plans. This includes shifting resources back to at-home senior care, addressing caregiver shortages, and supporting unpaid family caregivers through tax credits and reduced regulatory burdens. Overall, while Trump's healthcare policies will likely reflect his previous initiatives, the effectiveness of these proposals will depend on the political landscape and public sentiment surrounding healthcare issues in the coming years.

### **...Under a Harris administration**

Under a Harris administration, we can anticipate a focus on healthcare initiatives that build upon her past proposals and the current Biden Administration's efforts. During her campaign, Harris supported significant reforms such as a public option that would allow individuals to buy into a government-run plan while still having the choice of private insurance. Additionally, she advocated for measures to lower prescription drug prices, such as allowing Medicare to negotiate prices and capping out-of-pocket costs for medications. These proposals reflect her commitment to expanding access to healthcare and addressing affordability issues.

As Vice President, Harris has supported President Biden's healthcare initiatives, which primarily focus on strengthening the Affordable Care Act (ACA) rather than pursuing a complete overhaul of the system. The Biden administration has aimed to expand coverage, reduce premiums, and improve access to healthcare services. Under a Harris administration, we would likely see continued efforts to enhance the ACA, possibly through increased subsidies and incentives for states to expand Medicaid. Furthermore, there would be a strong emphasis on health equity, addressing disparities in healthcare access and outcomes among different demographic groups, as well as a commitment to improving mental health services and substance

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abuse treatment.

A significant aspect of Harris's healthcare agenda is the emphasis on home care for seniors. She has proposed plans to expand Medicare coverage to include home care services, recognizing the growing need for affordable and accessible care options for the aging population. This initiative aims to allow seniors to receive care in their homes, which can enhance their quality of life and independence while potentially reducing costs associated with hospital stays or nursing home care. By prioritizing home care, Vice President Harris addresses a critical gap in the healthcare system and responds to the desires of many seniors who prefer to age in place. Vice President Harris also recognized the significant challenges faced by individuals in the sandwich generation – those who are simultaneously caring for their aging parents while also supporting their own children.

- *Healthcare Reform: Expanding access, addressing prescription drug costs, and promoting health equity.*
- *Strengthening the ACA: Focus on enhancing the Affordable Care Act to increase coverage and reduce premiums.*
- *Home Care for Seniors: Plans to expand Medicare to include home care services for seniors, promoting independence.*
- *Political Challenges: Potential resistance in Congress may impact the feasibility of her healthcare initiatives.*

While the potential benefits of these healthcare policies include increased access to care for millions and a focus on preventive health measures, there are also challenges to consider. Political resistance, particularly in a divided Congress, could hinder ambitious reforms, and transitioning to a public option or Medicare for All may face significant logistical and political hurdles. However, the COVID-19 pandemic has underscored the necessity of robust public health systems, suggesting that any administration would prioritize strengthening healthcare infrastructure to better prepare for future health crises. Additionally, Harris has expressed her commitment to advocating for pro-union initiatives within the healthcare sector, emphasizing the importance of fair staffing ratios and competitive wages for healthcare workers.

In summary, under a Harris administration, we could expect a comprehensive approach to healthcare that emphasizes expanding access, addressing prescription drug costs, and promoting health equity. The focus on home care for seniors further highlights her commitment to improving the quality of life for vulnerable populations. While the specifics of legislative proposals and implementation timelines remain uncertain, Harris's track record and the current political landscape indicate a commitment to significant healthcare reform. The effectiveness of these initiatives will ultimately depend on the political dynamics and public support they garner in the years to come.

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## What to Expect: TAXES

### **...Under a Trump administration**

The biggest tax issue facing a President Trump will be the expiration of certain provisions from the 2017 tax cuts, known as the Tax Cuts and Jobs Act (TCJA), on December 31, 2025. While a large majority of the expiring tax provisions fall in the individual and family category, a number of the business provisions will either expire or be the subject of intense debate over whether to eliminate or modify the tax benefit. Several business tax provisions of note are the amortization of research & development (R&D) expenses, bonus depreciation, interest payment deductions, deduction for pass-through business income, and qualified opportunity zones. Trump has stated a desire to simply extend all of the expiring tax provisions and, at the same time, proposed several new proposals like reducing the corporate tax rate from 21% to 15% for domestic manufacturers, no taxes on tips, and no taxes on Social Security benefits. Former President Trump has also stated a desire to repeal a number of provisions from the Inflation Reduction Act (IRA), with provisions of the electric vehicle (EV) as the most at risk. Finally, former President Trump has stated he will impose 10-20% tariffs on all imported goods and 60% tariffs on all imports from China.

- *Trump has stated a desire to simply extend all of the expiring tax provisions of the 2017 Tax Cuts and Jobs Act (TCJA) and at the same time proposed several new proposals like reducing the corporate tax rate from 21% to 15% for domestic manufacturers, no taxes on tips social security benefits.*
- *If Republicans control both chambers of Congress, expiring provisions of the 2017 tax cuts would most likely be extended, while efforts to repeal EV-related provisions from the IRA would most likely be successful.*
- *A Democratically-controlled Congress – or a divided Congress – would force gridlock on enacting any transformative changes to the tax code, although both Republicans and Democrats have voiced some level of support for increasing the child tax credit and addressing the R&D tax credit.*

Ultimately the fate of the 2017 tax cuts will be determined by who controls Congress. Republican control of Congress would likely lead to an extension of 2017 tax cuts with additional tax cuts focused on the corporate rate, extensions and modifications to the above-listed tax provisions and efforts to repeal provisions from the IRA with the EV-related provisions as the most likely to succeed. Such control would also allow Republicans to utilize the fast-track budget tool known as “reconciliation” which limits the amount of debate time and only requires a majority of votes in both the House and Senate for passage. A divided Congress, on the other hand, would almost certainly lead to a protracted and heated debate over the fate of the tax cuts. Any deal would require major compromises by each party with neither side enacting any transformative changes to the tax code, although both Republicans and Democrats have voiced some level of support for increasing the child tax credit and addressing the R&D tax credit.

### **...Under a Harris administration**

Like former President Trump, the biggest tax issue facing a President Harris will be the expiration of certain provisions from the 2017 tax cuts at the end of 2025. Harris has expressed support for extending the expiring personal tax provisions for those earning less than \$400,000 per year, increasing the top effective rate from 37% to 39.6%, and raising the corporate rate from 21% to 28%. Harris has also proposed a “billionaire” minimum income tax, a 20% minimum tax rate on full income that includes unrealized appreciation, the elimination of taxes on tips, and a ten-fold expansion of the new business tax deduction. Harris would also likely seek to enhance tax benefits for clean energy and EVs.

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- *Harris has expressed support for only extending the expiring personal tax provisions for those earning less than \$400,000 per year, increasing the top effective rate from 37% to 39.6% and raising the corporate rate from 21% to 28%.*
- *In addition to enhancing tax benefits for clean energy and electric vehicles, Harris has also proposed a "billionaire" minimum income tax, a 20% minimum tax rate on full income that includes unrealized appreciation, the elimination of taxes on tips, and a ten-fold expansion of the new business tax deduction.*
- *Under a divided Congress, a Harris presidency could agree to business tax breaks in exchange for expanding child tax credits and enhancing IRS enforcements and audits.*

Ultimately the fate of the 2017 tax cuts will be determined by who controls Congress. Democratic control of Congress would likely lead to an outcome that largely mirrors Vice President Harris' positions with a likely expansion of the child tax credit. Such control would also allow Democrats to utilize the fast-track budget tool known as "reconciliation" which limits the amount of debate time and only requires a majority of votes in both the House and Senate for passage. A Harris presidency could also agree to business tax breaks in exchange for enhancing IRS enforcement and audits.

## What to Expect: TRANSPORTATION

### **...Under a Trump administration**

A potential Trump administration would likely emphasize a more market-driven approach to infrastructure investment, focusing on public-private partnerships and incentivizing local and state governments to take the lead in funding non-federal transportation projects. During his first term, former President Trump underscored the belief that transportation funding is inherently local, advocating for federal funding to serve as a catalyst for state and local investment.

Trump's Incentives Program, which aimed to allocate 50 percent of federal commitments toward incentivizing state and local investment, would likely be a cornerstone of his infrastructure strategy. This program was designed to reward project sponsors for demonstrating innovative approaches that reduce costs and improve performance, indicating a preference for efficiency and accountability in infrastructure spending.

- *Public-Private Partnerships:* Encourage local investment through federal incentives.
- *Innovation Rewards:* Incentivize cost-effective infrastructure projects.
- *Local Focus:* Rely on state and local funding for infrastructure development.

The focus on accountability and performance metrics could lead to a more competitive environment for infrastructure projects. By incentivizing innovation and cost-effectiveness, a Trump administration could promote the development of cutting-edge technologies and solutions in transportation. This could promote a greater emphasis on traditional infrastructure assets such as highways, airports, and passenger rail, with an expectation that these projects would be funded primarily through state and local resources, supplemented by federal incentives.

However, this approach may also raise concerns regarding the adequacy of federal support for critical infrastructure projects, particularly in underserved areas that may lack the resources to invest in their own transportation systems. Too much reliance on local funding could exacerbate disparities in infrastructure quality and accessibility across different regions, potentially leaving some communities without the necessary support to modernize their transportation networks.

In summary, a Trump administration would likely pursue a market-oriented approach to infrastructure investment, emphasizing public-private partnerships and local accountability. While this strategy may foster innovation and efficiency, the approach would need to be reviewed on a project-by-project basis in order to ensure equitable access to transportation improvements, particularly for communities that may struggle to secure adequate funding for their infrastructure needs.

### **...Under a Harris administration**

Under a potential Harris administration, infrastructure investment would likely continue to prioritize federal spending and public investment, building upon the initiatives established during the Biden administration. The Infrastructure Investment and Jobs Act (IIJA) would serve as a foundational framework for her infrastructure policies, with a strong emphasis on modernizing transportation systems to enhance accessibility and sustainability. Vice President Harris has consistently articulated the importance of transportation in connecting people to opportunities, emphasizing that "this issue of transportation is fundamentally about just making sure that people have the ability to get where they need to go." This perspective suggests that her Administration would focus on ensuring equitable access to transportation, particularly for underserved communities.

Harris's previous advocacy for progressive energy policies, such as her support for the Green New Deal, indicates that her administration may also prioritize environmentally sustainable infrastructure projects. This could include expanding electric vehicle (EV) infrastructure, as evidenced by the IIJA's allocation of \$7.5 billion for a national EV charging network. Furthermore, her past commitment to addressing climate change could lead to increased investment in green transportation technologies and renewable energy sources, aligning with her vision of a carbon-free power generation by 2035.



- *Federal Funding:* Focus on significant federal investment in infrastructure.
- *Sustainability:* Promote green transportation and EV infrastructure.
- *Accessibility:* Enhance transportation access for underserved communities.

In addition to promoting sustainability, a Harris administration may continue to address the urgent need for repairing and upgrading aging infrastructure. The IIJA includes provisions for modernizing Amtrak's Northeast Corridor and repairing bridges, which are essential for economic growth and public safety. The emphasis on infrastructure investment as a means to stimulate job creation and economic recovery would likely remain a central theme in her administration's agenda, particularly in light of the ongoing challenges posed by the COVID-19 pandemic.

Moreover, Harris's commitment to making transportation more accessible for individuals with disabilities could lead to significant advancements in transportation infrastructure. Her engagement with disability rights leaders and focus on improving accessibility in public transit systems suggest that her administration would prioritize inclusive policies that ensure all Americans can benefit from transportation improvements.

Overall, a Harris administration would likely build upon the existing framework established by the Biden administration while emphasizing sustainability, accessibility, and equitable investment in transportation infrastructure. This approach could address the pressing challenges facing the nation's infrastructure while promoting economic growth and social equity.

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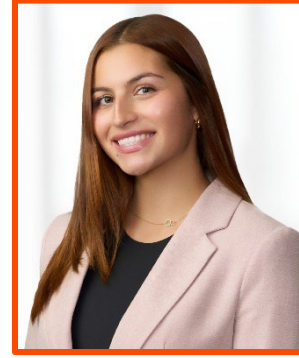


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