



**Week of 6-7-24**

### **Congressional Overview**

Congress returned to Washington, D.C. this week. The Senate considered nomination votes and voted on the Right to Contraception Act. The House heard from retired former director of the National Institute of Allergy and Infectious Diseases, Dr. Anthony Fauci, on the U.S. response to the COVID-19 pandemic. Finally, both chambers are working on their FY25 appropriations bills this month.

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### **Delaying the Overtime Rule**

The Partnership to Protect Workplace Opportunity (PPWO) is requesting that the Wage and Hour Division (WHD) stay the effective date of its overtime final rule published in the Federal Register on April 26, 2024, (89 FR 32842) to allow for judicial review, as the rule is currently being challenged in two federal courts. Rep. Tim Walberg (R-MI) and Sen. Mike Braun (R-IN) also introduced a Congressional Review Act (CRA) challenge this week that would nullify the overtime rule.

The U.S. Court of Appeals for the Fifth Circuit is considering the Department of Labor's (DOL) statutory authority to implement a minimum salary threshold related to the overtime pay requirements under the Fair Labor Standards Act. Additionally, a lawsuit filed on May 22, 2024, before the U.S. District Court for the Eastern District of Texas is challenging the legality of the substantial increase to the minimum salary threshold included in the final rule as well as the rule's triennial automatic updates to the threshold.

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### **House Considers FY 25 NDAA**

The FY 25 National Defense Authorization Act (NDAA) advanced out of the Armed Services Committee on May 22 by a 57-1 vote. It is now being considered by the House at large, with members filing more than 1,000 proposed amendments. It would authorize \$895 billion in spending in accordance with statutory budget caps set by Congress last year.

Filed amendments would shore up support for Israel; bar the use of authorized funds to build, maintain or repair the pier being used to deliver humanitarian aid to Gaza; and would prohibit TRICARE from covering gender-affirming care. The NDAA authorizes funding for the Department of Defense (DoD) and often serves as a legislative vehicle for the procurement of military construction.

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### **Sen. Manchin Files as an Independent**

West Virginia Sen. Joe Manchin announced last Friday he has officially left the Democratic Party and filed as an independent. Manchin, a lifelong Democrat who previously served two terms as governor, said that since his election to the Senate in 2010, he has "seen both the Democrat and Republican parties leave West Virginia and our country behind for partisan extremism while jeopardizing our democracy." He will continue to caucus with the Democrats while he serves out his Senate term.