

# Legislative Update

## Clinical Trials and Translational Research Advisory Committee

M.K. Holohan, J.D.

Office of Government and Congressional Relations

- **Congressional Races**
- **Coronavirus supplemental funding**
- **FY21 Appropriations**
- **Lame Duck Congress**

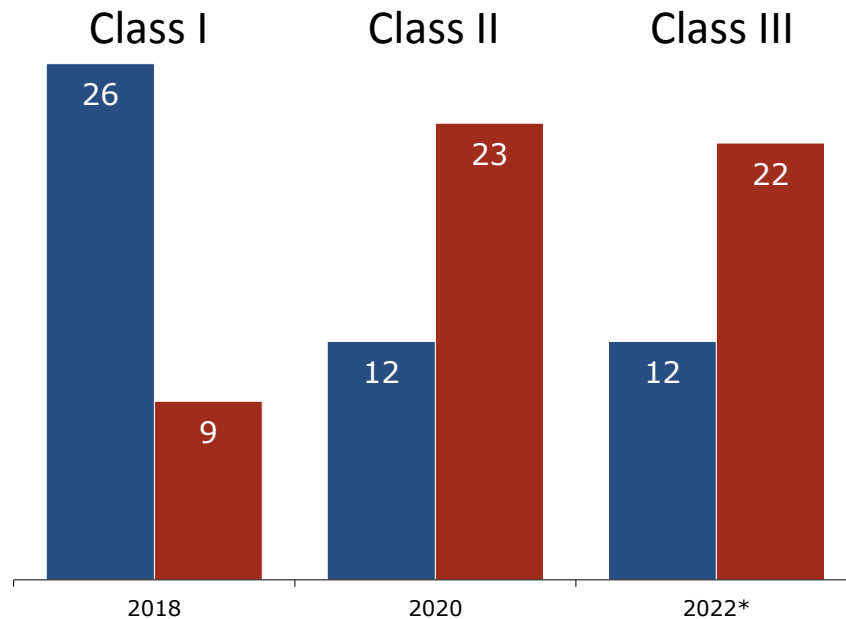


## Democrats, Republicans took turns playing defense in 2018 and 2020

### Senate seats in play, by election year

■ Republican seats

■ Democrat seats

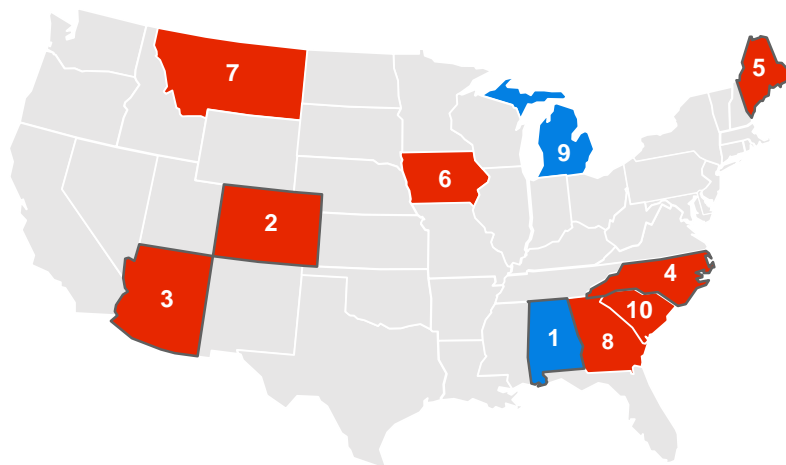


\*Based on current incumbents, before special elections in GA and AZ in November 2020  
Source: The Cook Political Report, 2018.

# Republicans hold 8 out of 10 Senate seats most likely to flip party control

## Hotline's 2020 Senate power rankings

■ Seat held by a Republican    ■ Seat held by a Democrat  
 Outline indicates it is in top five states most likely to flip  
 IN ORDER HOW LIKELY THEY ARE TO FLIP PARTY CONTROL



- To gain majority in the Senate, Democrats would need to gain four seats or three seats and the presidency to break a 50-50 partisan tie

## HOTLINE'S POWER RANKINGS

### 1. Alabama:

- Incumbent: Doug Jones (D)
- Challenger: Former Auburn football coach Tommy Tuberville (R)

### 2. Colorado:

- Incumbent: Cory Gardner (R)
- Challenger: Former Gov. John Hickenlooper (D)

### 3. Arizona:

- Incumbent: Martha McSally (R)
- Challenger: Veteran & retired astronaut Mark Kelly (D)

### 4. North Carolina:

- Incumbent: Thom Tillis (R)
- Challenger: Former State Sen. Cal Cunningham (D)

### 5. Maine:

- Incumbent: Susan Collins (R)
- Challenger: State House Speaker Sara Gideon (D)

### 6. Iowa — Joni Ernst (R)

7. Montana — Steve Daines (R)

8. Georgia — Kelly Loeffler (R)

8. Georgia — David Perdue (R)

9. Michigan — Gary Peters (D)

10. South Carolina — Lindsey Graham (R)

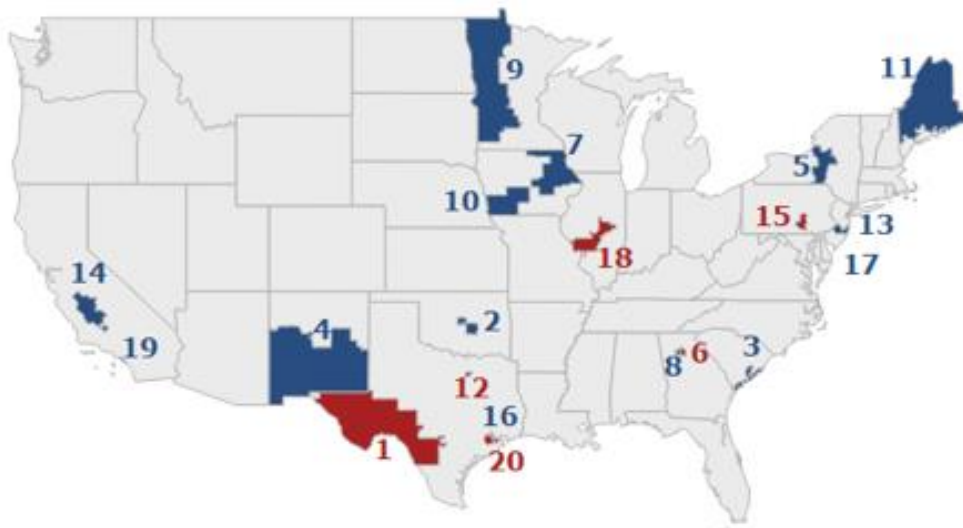
# Democrats hold 14 of the 20 most likely House seats to flip, but will likely retain their majority

HOTLINE'S POWER RANKINGS

### Hotline's 2020 House power rankings

IN ORDER HOW LIKELY THEY ARE TO FLIP PARTY CONTROL

■ Seat held by a Republican ■ Seat held by a Democrat



1. TX-23: Rep. Will Hurd (R)\*
2. OK-5: Rep. Kendra Horn (D)
3. SC-1: Rep. Joe Cunningham (D)
4. NM-2: Rep. Xochitl Torres Small (D)
5. NY-22: Rep. Anthony Brindisi (D)
6. GA-7: Rep. Rob Woodall (R)\*
7. IA-1: Rep. Abby Finkenauer (D)
8. GA-6: Rep. Lucy McBath (D)
9. MN-7: Rep. Collin Peterson (D)
10. IA-3: Rep. Cindy Axne (D)
11. ME-2: Rep. Jared Golden (D)
12. TX-24: Rep. Kenny Marchant (R)\*
13. NY-11: Rep. Max Rose (D)
14. CA-21: Rep. T.J. Cox (D)
15. PA-10: Rep. Scott Perry (R)
16. TX-7: Rep. Lizzie Fletcher (D)
17. NJ-3: Rep. Andy Kim (D)
18. IL-13: Rep. Rodney Davis (R)
19. CA-48: Rep. Harley Rouda (D)
20. TX-22: Rep. Pete Olson (R)\*

SOURCE National Journal.  
7/27/20

\* Incumbent not seeking reelection in 2020

# House Democrats set leadership elections for Nov. 18-19

- The top three Democrats, Speaker Nancy Pelosi, Majority Leader Steny H. Hoyer and Majority Whip James E. Clyburn, are running uncontested for another term.
- The Democratic Steering and Policy Committee will meet the week of Nov. 30 to nominate committee chairs, including the next leader of the House Appropriations Committee.



### Candidates:

- Marcy Kaptur (OH)
- Rosa DeLauro (Conn.)
- Debbie Wasserman Schultz (Fla.)



# House Republicans slated to hold leadership election on Nov. 17

BY [JULIEGRACE BRUFKE](#) - 10/28/20

- The top three House Republicans — Minority Leader Kevin McCarthy, Minority Whip Steve Scalise (La.) and Republican Conference Chairwoman Liz Cheney (Wyo.) — are running unopposed.
- After the Steering Committee is ratified, the panel will meet at a later date to select which members lead and sit on committees.

# Still No Deal on Next Supplemental

**House passed \$3 trillion HEROES Act, 208-199 on May 15**

**\$4,021,000,000 for NIH...**to prevent, prepare for, and respond to coronavirus, domestically or internationally

- **\$3,000,000,000** for offsetting the costs related to reductions in lab productivity resulting from the coronavirus pandemic or public health measures related to the coronavirus pandemic

**Senate failed twice to get 60 votes to advance supplemental measures**

- \$300 billion package in September
- \$500 billion package in October



# Roll Call

By Jennifer Shutt

Posted October 28, 2020 at 12:23pm

## Little time, big differences threaten lame-duck spending deals

Long-stalled coronavirus relief bill on potential collision course with stopgap funding deadline

### November

1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

### December

		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

■ Both chambers in session ■ Senate only in session

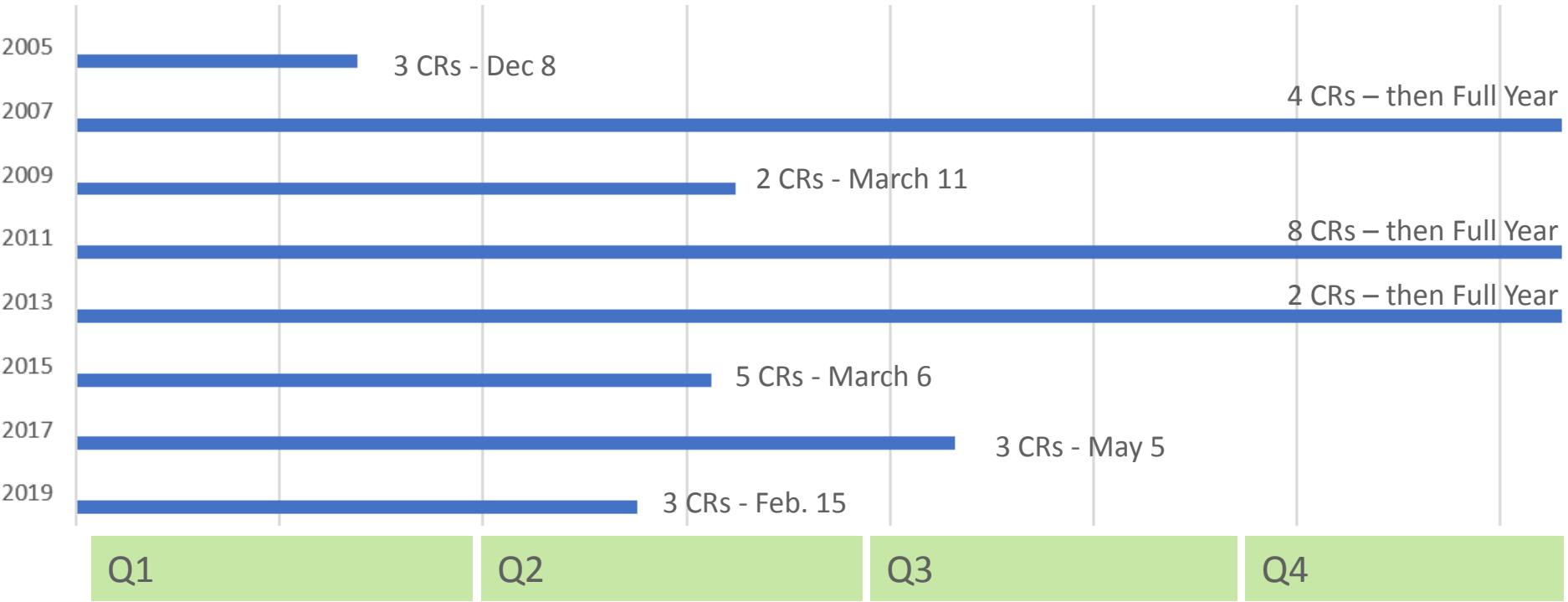
# FY21 Appropriations

- Continuing Resolution through December 11
- House bill passed in July, NIH +\$5.5B (total \$47B, *\$5B in emergency funding*)
  - NCI = \$6.908B (\$6.299 base + \$414M EF + \$195M MS)
- Senate bill stalled due to partisan disputes about amendments - expected to be released by November 10

**\*Appropriations may be combined w/coronavirus supplemental\***

# Continuing Resolutions in Election Years: FY2005 – FY2019

# CRs - date of final appropriation



A “**lame duck**” session of Congress occurs whenever one Congress meets after its successor is elected but before the end of its own constitutional term. Outgoing members still have voting powers to approve laws, and in the case of the Senate, approve nominees from the Executive Branch. Prior to 1933, lame-duck sessions extended into March.



**AMENDMENT XX-** Passed by Congress March 2, 1932. Ratified January 23, 1933

The terms of the President and the Vice President shall end at noon on the 20th day of January, and the terms of Senators and Representatives at noon on the 3d day of January...and the terms of their successors shall then begin.

## Lame Ducks Can Do Big Things

- In 2008, the lame duck 110<sup>th</sup> congress negotiated the American Recovery and Reinvestment Act, which was enacted on 2/17/2009, less than a month into the Obama Administration
- Major tax deals by lame duck congresses in both 2010 and 2012
- Typically, lame duck congresses must complete appropriations

*Questions?*

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