

Window on Washington: Lame Duck on the Wing

FOURTH QUARTER 2020

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Heading into autumn of 2020, Congress is nearly frozen in partisan paralysis. Although mid-terms handed the Democrats control of the House, the Senate—with its staggered 6-year terms—remains too closely divided to achieve 60-member majorities needed to make headway, despite nominal Republican control, and veto threats from the White House hang thick like Spanish moss in the swamp. Returning from summer recess, the Senate took up another virus relief bill but failed to pass a watered-down alternative to that offered by the House. Even bills to fund the government are on life support. The House passed 10 of the 12 regular spending bills in July, but with Senate appropriators deadlocked, a stopgap continuing resolution looks more likely in the near term. Heading into elections, Democrats have less and less incentive to compromise on big policy measures, to the extent they believe they may gain greater control of the Senate or take the White House in elections.

Two bills with legs in the twilight of the 116th Congress are the National Defense Authorization Act for FY 2021 (NDAA)—which sets national security policy, including maritime programs—and the Water Infrastructure Bill—which will improve ports and waterways. Washington has enacted an NDAA for 59 consecutive years, but the road to 60 could be rocky. The President has tweeted his intention to veto both the House and Senate versions of the NDAA on the grounds that they would require renaming military assets honoring Confederates; the White House put out a list of lengthy objections to other provisions, including limits on the diversion of Defense construction funds to projects like the border wall, and another allowing D.C. to control its National Guard. Despite the Administration's objections, legislators generally have fewer significant disagreements than they did during the debate of last year's measure.

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