

Legislative Outlook

Status, timing and likely next steps

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AUGUST 2026 | Pre-Midterm Election Snapshot

Senate Continuing Resolution

PASSED SENATE

- [H.R. 6500](#), used as the continuing resolution (CR) vehicle, passed the Senate 90-6 on August 8.
- The Senate first invoked cloture on Sen. Susan Collins' (R-ME) substitute, 91-6-1, and tabled Sen. Ted Budd's (R-NC) hemp amendment, 61-32. The measure now requires House action to avert a government shutdown on October 1.
- The Senate CR is different than the House-passed version ([H.R. 9770](#)). The House's CR extends funding only through December 4 and omits numerous policy and funding adjustments included in the Senate-passed CR that enjoyed support from the White House and a [Statement of Administration Policy](#) (SOP) issued by the Office of Management and Budget.

Surface Transportation Reauthorization Bill

EARLY STAGE

- The House Energy and Commerce Committee, House Science, Space and Technology Committee, and House Transportation and Infrastructure Committee each marked up their respective bills in May, but no action has been taken by the Ways and Means Committee, which is responsible for funding the overall bill via the tax code or other general fund transfers. None of the four Senate Committees have marked up their respective portions of the reauthorization bill. The Senate-passed CR extends nearly all surface transportation programs and authorities through December 11, 2026.
- The House and Senate remain at significantly different stages of the process, making a comprehensive reauthorization package before year-end unlikely. This increases the likelihood that Congress will rely on additional short-term extensions beyond December 11.

Crypto Clarity Act

LIKELY SEPTEMBER

- Senate Majority Leader John Thune (R-SD) filed cloture on the motion to proceed to H.R. 3633, the Digital Asset Market Clarity Act before the Senate departed for the August Recess. This means the procedural motion will ripen after the Senate returns on September 14. Due to ongoing disagreements over several key provisions, there likely aren't the 60 votes needed to pass the motion to proceed at this time.
- Outstanding disputes over ethics provisions, illicit-finance safeguards, and stablecoin yield/rewards continue to divide lawmakers on a final bill, but there is still time left in the August recess to find potential solutions in order to take up the bill on the Senate floor.
- September will likely determine whether the bill can remain viable this Congress, as a narrowing legislative calendar and midterm politics increase pressure for a bipartisan compromise.

Farm Bill

POSSIBLY SEPTEMBER

- After a failed 10-11 committee vote on August 6 due to the absence of Sens. Mitch McConnell (R-KY) and Tommy Tuberville (R-AL), Chairman John Boozman (R-AR) said he will call Committee members back for a vote in September when the Senate convenes after recess.
- Democrats still oppose the bill, citing cuts to SNAP funding, and are seeking a two-year delay in SNAP cost-share implementation rather than the one-year delay included in the Farm bill under consideration by the Committee.
- Even if approved in September, the Farm Bill would still face significant hurdles on the Senate floor and in eventual negotiations with the House, making enactment unlikely before year-end.

Russia Sanctions Bill

PASSED SENATE

- On August 7, the Senate [passed](#) the Lindsey O. Graham Sanctioning Russia and Iran Act ([H.R. 5334](#)) by a vote of 86-11. The bill targets Russian officials, energy networks and sanctions evasion, and authorizes tariffs on the top five major purchasers of Russian energy. A Paul Wyden amendment to strip the tariff authority [failed](#) 32-64.
- The House has not indicated when the overwhelmingly bipartisan Senate-passed bill will be considered. The White House supported passage of the Senate bill.

Foreign Intelligence Surveillance Act (FISA)

STALLED IN CONGRESS

- Talks have stalled since June after the House-passed extension bill failed.
- Jay Clayton's confirmation by the U.S. Senate (51-47) on July 28 should help reopen negotiations since the concern regarding the President placing Bill Pulte as Acting Director of National Intelligence is no longer an issue.
- Any path forward will likely require negotiations over extending Section 702 authorities for certifications not previously granted (or that otherwise have lapsed) by the FISA court.

National Defense Authorization Act (NDAA) Fiscal Year 2027

STALLED IN SENATE

- The House passed its version of the FY27 NDAA ([H.R. 8800](#)) on July 22 by a vote of 216-212.
- The Senate Majority/Minority cleared [86 amendments](#) to the Senate Armed Service Committee reported version in hopes of gaining sufficient support to take up and debate the Defense Authorization bill.
- The Senate remains stuck procedurally following the [failed cloture vote](#) (50-46-4) on the motion to proceed to S. 4784. As a result, the Senate has not begun formal floor consideration. Every Democrat present and both independents voted against proceeding. Majority Leader Thune also voted no for procedural reasons, preserving the ability to seek reconsideration.
- Because of the failed cloture vote, the Senate has begun informal "conference negotiations" with the House in hopes of crafting a final NDAA Reauthorization that can be approved by both chambers after the midterm elections.
- *Note:* The major reason cited by Democrats on why they voted against taking up the NDAA bill was over concerns with the Administration's ongoing efforts in Iran absent Congressional approval. Other reasons included the lack of an ability to restrict national guard deployments in major cities, and the \$1.15 trillion authorization level in the NDAA bill versus spending for non-military programs.

Name Image And Likeness (NIL) Bill

PENDING IN SENATE

- On August 5, Majority Leader Thune filed a cloture motion to proceed to the bipartisan Protect College Sports Act ([S. 4668](#)), but the Senate did not hold a floor vote before departing for the August recess.
- The legislation would establish a federal framework for name, image, and likeness (NIL) compensation, replacing the current patchwork of state laws and codifying athlete rights and protections.
- The bill advanced out of the Senate Commerce Committee on a bipartisan 19-9 vote in June and has support from members of both parties. Further negotiations and changes to the bill occurred after Committee passage, which has led to support from more Senators.
- This bill's cloture motion was filed prior to the CLARITY Act and thus will likely see floor action first.
- Key provisions include protections for athlete scholarships and healthcare, NIL compensation standards, restrictions on predatory agents, and measures intended to preserve women's and Olympic sports opportunities.

Safeguard American Voter Eligibility (SAVE) Act

STALLED IN CONGRESS

- The House has passed various versions of Election-related legislation, including the SAVE AMERICA Act. However, each of those measures has either stalled in the Senate or failed to attract Democratic support to clear the Senate's 60-vote threshold.
- On August 8, the Senate rejected cloture, 52-48, on S. 5271, the voter photo ID measure, eight votes short of the 60 required.
- The failed procedural vote confirms that the stand-alone Voter ID requirements cannot advance without Democratic support.
- Republicans may revisit election-related provisions through the broader Budget Resolution process.

RECONCILIATION 3.0

STALLED IN SENATE

- The House passed an initial budget resolution ([H.Con.Res.113](#)), but Senate Republicans lack the votes to take up the resolution in its current form. The House-passed resolution would authorize \$95 billion in spending, including \$60 billion for defense, \$13 billion for intelligence, \$12 billion for agriculture and \$10 billion for election grants.
- The House measure [does not include spending offsets](#).
- Prior to the August recess, Senator Ron Johnson (R-WI) the new Chairman of the Senate Budget Committee introduced an alternative budget resolution ([S.Con.Res.38](#)) but no action was taken on that measure before lawmakers departed.
- Majority Leader Thune has said adding SAVE Act provisions would not satisfy President Trump, while budget hawks oppose the overall spending level in the House-passed measure. Effectively, this issue is unresolved and could reappear in the Senate following the August recess.

Kids Online Safety Act (KOSA)

REPORTED FROM SENATE COMMITTEE

- The Kids Online Safety Act (KOSA) [cleared](#) the Senate Commerce Committee on August 5.
- Despite broad bipartisan support and 76 Senate cosponsors, the legislation has not yet been scheduled for floor action.
- The Senate and House are advancing different versions of online child-safety legislation, creating potential hurdles to final enactment.
- Key points of contention include the bill's duty-of-care requirements, content-moderation obligations, privacy protections, age-verification provisions, and the scope of platform liability.
- Senate floor action will likely depend on leadership scheduling decisions in September with only 14 legislative days scheduled before the mid-term elections.