

# FBB FEDERAL RELATIONS

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### **Peter Friedmann's View from Washington DC. January 2019**

It's hard to write this month's view from Washington DC, because politics has almost completely submerged reason back here: on the budget, immigration policy, appropriations and just about everything else, the tensions between the White House and the House of Representatives have become almost paralyzing.

The White House lost the majority in the House, which it enjoyed these past two years. Predictably, the Democratic majority in the House does not want to be seen as agreeing with just about anything that comes out of Trump's White House.

We've seen this before – just eight years ago. President Obama enjoyed House and Senate majority of his own party for the first two years of his term, and then lost that majority during the midterms. Some will point out that he lost both the House and Senate, while President Trump lost only the House – but the impact is the same. Losing the House and Senate majority made the remainder of President Obama's term not particularly productive from a legislative standpoint. Congress and the White House were not going to agree on anything.

This led President Obama to exercise his Executive Authority. He did so to an unprecedented degree, effectively implementing his agenda on environmental, labor, immigration and foreign policy while avoiding Congressional review and approval of new regulations.

So now it's going to be very interesting. Will history continue to repeat itself? Will the Trump experience be similar to the Obama experience – dealing with an openly hostile Congress? Will the Trump Administration have to do the same Executive Authority end-around of Congress, as did Obama, to achieve his agenda? Will the courts allow him to do so? So far, it's a mixed bag. For example, the courts affected his immigration policy but did not outright block it. And on the environmental side, the President is making a lot of changes the courts have not touched to date. It will take years to fully know the impact the courts had on the President's agenda.

On a positive note, on Friday night Congress sent legislation to President Trump, which he signed, re-opening the portions of the federal government that have been shuttered since December. This is certainly positive; however, the legislation only provides funding through February 15. In other words, Congressional leaders must still come to agreement with President Trump on a deal that will fund the government through the end of the current fiscal year (September 30).

It is too early to say whether an agreement can come together by February 15; it is not out of the question that the government could be shut down again starting February 16 if the more structural political disputes cannot be resolved in the near term.

While we can see that the Senate, House and White House could compromise on most issues, we are not out of the woods on the Wall and \$5.7 billion. The drama continues.