

## Tea Party Patriots Citizens Fund Weekly Report from Washington for 1/22/18

### CALENDAR:

The House was set to be on recess this week, but those plans have changed as a result of the ongoing temporary partial government shutdown. The Senate will Monday, and stay in session through Friday.

### LAST WEEK ON THE HOUSE FLOOR:

The House came back to work last Tuesday and passed two bills under Suspension of the Rules.

On Wednesday, the House passed the Rule for consideration of H.R. 3326, the World Bank Accountability Act, and H.R. 2954, the Home Mortgage Disclosure Adjustment Act. Then the House passed H.R. 4258, the Family Self-Sufficiency Act, under Suspension of the Rules. Then the House passed H.R. 3326, the World Bank Accountability Act. Then the House passed H.R. 4279, the Expanding Investment Opportunities Act, under Suspension of the Rules.

On Thursday, the House passed two Rules, and then passed H.R. 2954, the Home Mortgage Disclosure Adjustment Act. Then the House voted on H.R. 195, the vehicle for the Continuing Resolution we'll discuss in more detail momentarily. The C.R. passed by a vote of 230-197.

But the House was still far from done. After the House passed the C.R., they took up and passed H.R. 1660, the Global Health Innovation Act, under Suspension of the Rules.

On Friday, the House voted to table H.Res. 705, a resolution to impeach President Trump. The motion to table the impeachment resolution passed, by a vote of 355-66, so Democrats got 8 more votes for impeachment this time than they did last time.

Then, as marchers at the annual March for Life walked in the District of Columbia, the House took up and passed H.R. 4712, the Born-Alive Abortion Survivors Protection Act. The bill passed by a vote of 241-183. Not a single Republican voted against it, while six Democrats crossed party lines to vote for it.

Then, on Saturday, the House took up H.Res. 708, a Rule that would allow the House to vote on a measure the same day it was introduced, to allow them to move quickly to end the temporary partial government shutdown. The Rule passed by a vote of 235-170.

And then they were done.

### THIS WEEK ON THE HOUSE FLOOR:

The House was originally scheduled to be in recess this week. But they were in on Saturday, and they're in today, and they're probably not going anywhere until we see what happens in the Senate.

### LAST WEEK ON THE SENATE FLOOR:

The Senate came back on Tuesday, and voted to invoke cloture on S. 139, the FISA Amendments Reauthorization Act. The vote to invoke cloture was 60-38.

On Thursday, the Senate voted to pass S. 139. The vote was 65-34.

On Thursday night, the Senate took up H.R. 195, the vehicle for the Continuing Resolution. By a vote of 97-2, the Senate agreed to the Motion To Proceed. For those keeping score at home, the two “no” votes came from Republican Senators Mike Lee of UT and Rand Paul of KY. Sen. John McCain of AZ did not vote.

On Friday night, after a day’s worth of debate, the Senate moved to invoke cloture and end debate on the Continuing Resolution. The vote to invoke cloture failed, by a vote of 50-49. Five Democrats voted to invoke cloture – Manchin of WV, Donnelly of IN, McCaskill of MO, Heitkamp of ND, and Jones of AL. Meanwhile, five Republicans – Flake of AZ, Graham of SC, Lee of UT, McConnell of KY, and Paul of KY – voted against cloture. Again, McCain did not vote.

For those who are wondering, McConnell voted against the cloture motion so he could call the bill up again with a Motion To Reconsider.

The Senate was scheduled to hold a vote at 1 AM this morning, but pushed off that vote until noon today.

### **THIS WEEK ON THE SENATE FLOOR:**

The Senate will, presumably, continue debate on the temporary partial government shutdown.

### **EARMARKS:**

The House Rules Committee held its hearing with Members of Congress last Wednesday, and, not surprisingly, heard a lot of support for the idea of bringing back earmarks. About the only good news to come out of the meeting was hearing Rules Committee Chairman Pete Sessions say that if they brought back earmarks, there would have to be increased transparency to them – like making clear to the public who requested the funds and why.

FYI, the word “earmarks” is now so toxic that during a hearing devoted to discussing whether or not the Congress should bring them back, no one wanted to use the word. So instead we heard about “congressionally-directed” or “Member-directed” spending, or “specific” legislating. Said Sessions, “We’re not going back to earmarks. We’re going back to specifically legislating.”

Insert your own joke here. ☺

### **FBI:**

On Friday, the FBI let Sen. Ron Johnson – the Chairman of the Senate Homeland Security and Governmental Affairs Committee – know that the agency had failed to preserve text messages between FBI agent Peter Strzok and his mistress, FBI official Lisa Page. These were the two FBI officials who had exchanged text messages criticizing Donald Trump, and who worked for a time for Special Counsel Robert Mueller.

The FBI letter said the agency had failed to preserve text messages between December 14, 2016 and May 17, 2017.

Strzok, you may recall, worked on both the Hillary Clinton email server investigation and the Russian collusion investigation, and he worked for Mueller until the Justice Department’s Inspector General discovered the text messages he had exchanged with Page, in which both agents expressed strong criticisms of Trump.

The end date of the missing text exchanges is significant – coincidentally or not, May 17 is the day Mueller was appointed Special Counsel.

Not all the text messages between the two were lost, however. The FBI handed over 384 pages of additional text messages between the two.

### **IMMIGRATION:**

Democrats are taking an increasingly hard line in their ongoing negotiations over how to legalize illegal immigrants. Early in the week, they said they could no longer deal with the President if he had Arkansas Republican Senator Tom Cotton in the room. By this weekend, they were saying the same thing about White House staffer Stephen Miller. Before long, I predict, they'll be saying that about White House Chief of Staff Gen. John Kelly. Apparently, they don't want to engage in negotiations with anyone who thinks differently than they do.

On the other hand, some Democrats seem to be softening their opposition to construction of a border wall. Congressman Luis Guterrez (D-La Raza), for instance, said Saturday that he's willing to yield on the border wall in exchange for legal protections for the so-called "Dreamers." "I'll take a bucket, take bricks, and start building it myself," he told reporters in the Capitol.

Meanwhile, Congressman Mark Meadows – leader of the House Freedom Caucus – said last week that President Trump has promised conservatives that he won't support any immigration bill that doesn't win the support of both him and Sen. Tom Cotton.

### **RUSSIA PROBE:**

On Thursday, Republicans on the House Permanent Select Committee on Intelligence voted to allow their colleagues to see a highly classified report that they say details their concerns over the conduct of senior officials at the FBI and the Department of Justice in the run up to the 2016 presidential election, specifically regarding the use and abuse of the FISA process by those officials.

By Friday, scores of Republican lawmakers had viewed the four-page document, and many began calling for the public release of the document or a declassified version. Some of those who had viewed it suggested it could lead to indictments of senior officials, or, at the very least, their firings.

### **SPENDING:**

At 12:01 AM Saturday morning, the appropriations that pay for the ongoing operations of the federal government lapsed, and the government went into what will be a temporary, partial government shutdown, with non-essential employees furloughed and not able to come into work.

The last time this happened, in 2013, 83 percent of government personnel were deemed "essential" by their agencies and departments, and continued working without pay until the shutdown ended and they were given their back pay. The 17 percent of the federal workforce that was deemed "non-essential" didn't go into work for 16 days, but were eventually given their back pay, too.

The odd thing about this shutdown compared to the last is simple, but remarkable: No one in either party, to my knowledge, opposes what's in the four-week funding bill that passed the House on Thursday afternoon but failed on the Senate floor Friday night. Republicans don't oppose it, and Democrats don't oppose it.

That's a key difference from 2013, when Republicans opposed funding the implementation of ObamaCare, and played a game of chicken with President Obama over funding it. Then, they passed a funding bill that did not contain funding to implement ObamaCare, and Senate Democrats refused to pass it. They insisted on funding ObamaCare. Eventually, the Republicans caved, and agreed to add ObamaCare funding, and the shutdown ended.

But this time, there's not a single provision in the Continuing Resolution that's causing opposition.

So why won't Senate Democrats vote for the bill? Because it's a must-pass, and they believe the only way they can get what they want on something else is to attach it to a must-pass bill. It's not the Senate they're worried about, it's the House.

And what is it that they want? Amnesty for illegal immigrants, in the form of a legislative fix for recipients of President Obama's Deferred Action for Childhood Arrivals program. In fact, they even want amnesty beyond that – they want amnesty for people who could have received legal status under DACA, but didn't apply for permits.

President Trump, Majority Leader McConnell, and Speaker Ryan want a deal to provide some kind of legal status to DACA recipients. And they've been negotiating with Democrats for months over some kind of fix. But they don't want that legislative fix attached to a must-pass funding bill. And they've been quite adamant about that, to their credit.

The Continuing Resolution that passed the House Thursday would fund the government through February 16. That's four weeks of funding. It also contains a six-year reauthorization of the Children's Health Insurance Program, which would provide funding for health care for 9 million lower-income children. And it would delay for two years ObamaCare's Medical Device Tax, and Health Insurance Tax, and Cadillac Tax. Those are all "sweeteners" for Democrats.

Over the weekend, after it became clear neither side would blink in the Senate, some moderates in both parties began talking about a funding bill that would last through February 8. Majority Leader McConnell introduced such legislation, and tried to bring it to the floor for a vote Saturday, but Democrats objected. Leader McConnell set for the vote for 1 AM Monday morning, but then, after more discussions Sunday, he tried to move up the vote so it would take place earlier on Sunday evening.

In a bid to win votes from Democrats, Leader McConnell said he would consider taking up legislation to provide for a DACA fix by February 8 if no one agreement on DACA has been reached before then. That wasn't good enough for Senate Democrats – they're still worried that without certainty that the DACA fix would pass the House, it would all be for naught – so Schumer said no, and the vote was pushed to noon today.

Democrats are playing a losing hand on this. Yes, it's true that the public polling shows that there are more people who want a DACA fix than people who don't. That's why the Democrats are taking the position they are – they think it's good for them politically. But the same polls also show that there are more people who don't think it's worth shutting down the government to get that DACA fix than there are people who think it is worth shutting down the government to get that DACA fix.

Senate Democrats eventually recognized this, and sometime between last night and this morning decided to take Leader McConnell up on his promise of a floor vote on an immigration-related bill by February 8. So, just moments ago, they voted to invoke cloture on the motion to concur in the House

amendment. The deal everyone just agreed to will reopen the government and fund it until February 8. In the meantime, the ongoing negotiations will continue over budget caps, defense and domestic spending, immigration, and a long-term budget deal.

McConnell did not agree to bring a specific bill to the floor. Instead, he promised to allow a full and fair and open amendment process, so that all sides could have an opportunity to offer their thoughts on immigration reform. While he did not insist that he would only allow on the floor a bill that already had the President's buy-in, he did say it was his hope that the White House would support the legislation.

But remember, just because a bill passes the Senate does not mean it will pass the House. The House Republican Conference is far more conservative than the Senate Republican Conference. And nowhere in his deal did McConnell promise that a bill that passes the Senate would pass the House – he didn't even try to offer a guarantee that any Senate-passed bill would get a vote on the floor of the House.

In other words, Republican leaders held firm, and Democrats caved. The hard left – the so-called "Resistance" – is about to go ballistic. They drew a line in the sand for Democratic leaders, and the Democratic leaders folded on Day Three of their shutdown.

### **SUGGESTED READING:**

#### **JENNY BETH MARTIN/TEA PARTY PATRIOTS:**

[Hill: Jenny Beth Martin: IRS Is Evading Federal Rules, But Trump Can Get Agency on Track](#)

[WT: Jenny Beth Martin: Nix Earmarks, Deliver a Federal Budget](#)

[WT: Donald Trump Hails Economy After First Year](#)

[Hill: The Memo: How Trump Changed Everything](#)

#### **EARMARKS:**

[Hill: Lawmakers See Path To Bringing Back Earmarks](#)

#### **FBI:**

[DC: FBI 'Failed To Preserve' Five Months of Text Messages Between Anti-Trump FBI Agents](#)

[Hill: FBI Unable To Preserve Some Text Messages from Agent Removed from Mueller Probe](#)

#### **IMMIGRATION:**

[WaPo: A Burst of Acrimony on Capitol Hill Threatens Immigration Deal](#)

[NYT: Trump Was Not 'Fully Informed' in Campaign Vows on Wall, Chief of Staff Says](#)

[WaPo: Trump Pushes Back on Chief of Staff Claims that Border Wall Pledges 'Uninformed'](#)

[Hill: Justice Department To Appeal Court's DACA Ruling](#)

[Hill: Homeland Secretary Grilled Over Trump Comments](#)

[WaPo: Inside The Tense, Profane White House Meeting On Immigration](#)

[Politico: Schumer Slams Cotton In Face-To-Face With Trump](#)

[Hill: GOP Senators: DACA Bill To Get Vote by Feb. 8](#)

[Hill: Gutierrez Ready To Give In on Wall](#)

[Hill: Graham: Stephen Miller Makes Immigration Deal Impossible](#)

[WSJ: John Kelly Forges Role as Immigration Hard-Liner](#)

### **RUSSIA PROBE:**

[Politico: Lawmakers Vow To Force Answers From Bannon After He Defies Subpoena](#)

[NYT: Bannon Is Subpoenaed In Mueller's Russia Investigation](#)

[Axios: Inside The Room: What Steve Bannon Told Congress](#)

[NBC News: Lewandowski Rebuffs House Committee's Questions In Russia Probe](#)

[Foreign Policy: Trump Ordered Bannon To Limit Testimony](#)

[Politico: Republicans Authorize Sharing Of Classified Report On FBI, DOJ Official's Conduct](#)

[Hill: GOP Reps Demand Release of 'Shocking' Surveillance Memo](#)

[Hill: Fierce Battle Erupts over Releasing Intelligence Report](#)

### **SEXUAL HARASSMENT:**

[NBC: House Unveils Landmark Sexual Harassment Overhaul Bill](#)

[Hill: House Sexual Harassment Overhaul Sidelines Ethics Watchdog](#)

[NYT: Congressman Combating Harassment Settled His Own Misconduct Case](#)

[Hill: Republican Lawmaker Settled Harassment Complaint with Former Staffer: Report](#)

### **SPENDING:**

[WaPo: Shutdown Looms as Republicans Seek Short-Term Spending Deal for Government](#)

[Hill: House GOP Considers Adding Health Measures To Funding Bill](#)

[Hill: GOP Leaders Face Most Difficult Shutdown Deadline Yet](#)

[Hill: Lawmakers See Shutdown Odds Rising](#)

[Politico: House Republicans Coalesce Behind Plan To Avert Shutdown](#)

[HuffPo: With A Possible Shutdown Hours Away, Republicans Are Negotiating With Themselves](#)

[Politico: Shutdown Would Backfire On GOP, Republicans Say](#)

[Hill: House Conservatives Demand Vote On Tough Border Bill To Avoid Shutdown](#)

[Politico: Republicans Lack Votes To Prevent A Shutdown](#)

[Bl: Lindsay Graham Is The First GOP Senator To Come Out Against The Republican Bill To Avoid A Shutdown - Throwing The Senate Into FLUX](#)

[Politico: Republican's No Win Choice: Dreamers Or Defense](#)

[Politico: GOP Opens Door To Weekend Votes On Spending, Immigration](#)

[Hill: Whip List: Shutdown Looms As Senate Lacks Votes To Pass House Spending Bill](#)

[Politico: McConnell Plans For Shutdown](#)

[Hill: Trump Baffles GOP With Tweet Scrambling Shutdown Talks](#)

[Hill: Freedom Caucus Backs Funding Bill, Clearing Way For House Passage](#)

[Fox News: House OKs Temporary Spending Bill To Avoid Shutdown But Future In Senate Is Unclear](#)

[Hill: House Approves Spending Bill, Shifting Shutdown Drama To Senate](#)

[WE: Senate Agrees To Start Work On Spending Bill, But Not Much Else](#)

[Hill: Senate Takes Shutdown Drama Into Final Day](#)

[WE: Mitch McConnell Sets Up Friday Spending Showdown](#)

[Politico: GOP Leadership Finally Wins A Round Vs. Freedom Caucus](#)

[WaPo: Jury's Out On Winners And Losers In Latest Shutdown Standoff](#)

[Hill: Schumer After Trump Meeting: Progress But No Deal Yet](#)

[Hill: Trump Budget Chief Predicts Shutdown Deal Within 24 Hours](#)

[Hill: Senate Rejects Funding Bill, Partial Shutdown Begins](#)

[Hill: Congress Looks for Way Out of Government Shutdown](#)

[Hill: Trump: Democrats 'Could Have Easily Made a Deal' To Avert Shutdown](#)

[Hill: Schumer Says He Offered To Discuss Border Wall as Part of Trump Deal](#)

[WaPo: Government Shuts Down After Senate Bill Collapses, Negotiations Fail](#)

[Politico: Inside the Frantic 24 Hours That Led to a Shutdown](#)

[NYT: How Trump and Schumer Came Close to a Deal Over Cheeseburgers](#)=

[Hill: Nerves Fray as Shutdown Talks at Impasse](#)

[RC: With No Deal, Senate Heads Toward Votes at 1 AM Monday](#)

[RC: House GOP Has Message for Senate on Shutdown: Nuke the Filibuster](#)

[Hill: Trump Calls for Republicans To Trigger 'Nuclear Option' if Stalemate Continues](#)

[WaPo: House Republicans Are Unusually United that the Shutdown Is Democrats' Fault](#)

[WaPo: Congressional Leaders Refuse To Budget on Shutdown's First Day, But Negotiations Continue](#)

[Politico: Welcome to Trump's Whatever Shutdown](#)

[Hill: No Deal in Sight as Shutdown Extends to Second Day](#)

[Politico: Shutdown Messaging War: 'Illegal Immigrants' vs. Trump Mayhem](#)

[Hill: House GOP Backs Three-Week Funding Bill](#)

[Hill: Trump's Budget Chief Says Shutdown Could Last More Than a Week](#)

[Hill: Senate Group Scrambles for Deal To End Shutdown](#)

[WaPo: Moderate Senators Race To Strike a Deal To End Government Shutdown](#)

[Hill: Senate Headed for Monday Vote on Bill To Reopen Government](#)

[WSJ: Senate Fails To End Government Shutdown, Plans Vote on Three-Week Spending Bill](#)

[Hill: McConnell To Bring Up Bill on Immigration, Border Security Next Month](#)

[Hill: House GOP Warns: We're No Rubber Stamp for Senate DACA Fix](#)

[Politico: Senate To Vote Monday on Plan To Reopen Government](#)

[Politico: Fractious House Republicans Rally Behind Ryan on Shutdown](#)

[Hill: Senate Dems Take Deal, Clearing Way To End Shutdown](#)

[WE: Senate Democrats Ready To End the Shutdown After GOP Promises Immigration Vote](#)

**SURVEILLANCE:**

[Hill: Senate Votes To Extend NSA Spying Program](#)

[Politico: Surveillance Bill Heads To Trump's Desk](#)

**MISCELLANEOUS:**

[Polizette: Two New Polls Show Trump's Tax Cuts Are Gaining Public Support](#)

[Axios: John Kelly Risks A Steve Bannon Moment](#)

[Politico: Trump Gives Out 'Fake News Awards' To CNN, N.Y. Times, Wash Post](#)

[GOP: The Highly Anticipated 'Fake News Awards'](#)

[Politico: Mulvaney Requests No Funding For Consumer Financial Protection Bureau](#)

[Axios: The State Of John Kelly: How Trumpworld Views Him](#)

[CNN Poll: Dem Lead on Generic Ballot Cut from 18 to 5 Points](#)