

The Brookings Institution  
5 on 45: Why Trump ended the shutdown – for now  
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(MUSIC)

PITA: You're listening to 5on 45 from the Brookings Podcast Network, analysis and commentary from Brookings experts on today's news regarding the Trump administration.

Reynolds: My name is Molly Reynolds, and I'm a senior fellow in the Governance Studies Program at the Brookings Institution. Today, President Trump announced that he is willing to sign a temporary three-week spending bill without additional funding for a physical barrier on the southwestern border. That reopens the parts of the federal government that have been shuttered since December 21st. That will bring approximately 800,000 federal employees and more than 1 million federal contractors back to work. The former group will see backpay, though the latter will not, over the next three weeks. The House and Senate will convene a conference committee. A temporary panel charged with negotiating an agreement on a specific piece of legislation. To work out a final version of the spending bill for the Department of Homeland Security. President Trump hopes this bill will include additional funding for a while. Fundamentally this is the same deal that was on the table in December. When the Senate approved by a voice vote. A measure that would have kept the government running through February 8th. They did so because they believed that President Trump would sign such a bill within 24 hours of its passage. However, the president announced he would do no such thing. At least in part because members of the conservative House Freedom Caucus had persuaded him to hold out for funding for a border wall. That idea was of course dead on arrival in the Senate. Where the existence of a filibuster means that some Democratic votes are needed to pass most legislation. So, this is essentially the same deal that the president rejected before Christmas. What changed between then and now to finally bring this up episode and its painful consequences for federal workers and their families. And the switching control of the House of Representatives from the Republicans to the Democrats at the start of the 116 Congress obviously mattered a great deal.

Speaker of the House Nancy Pelosi had no incentive to compromise with President Trump on the wall. Both because of the preferences of House Democrats but also because doing so would suggest to him that future legislative hostage taking including agenda items like the debt limit would be a good idea. But Democrats have controlled the House for three weeks. What was it that happened more recently that led Trump to back down? One relevant event was votes in the Senate yesterday on two bills to reopen the government. Both of them failed, but the vote margins were important. The first measure which were funded the government through the end of the fiscal year. While also making significant immigration policy changes. Only received 50 votes. The second bill, a stopgap measure to fund the government for just two weeks garnered 52 votes, including six from Republicans. It's never a great sign for the White House when its preferred proposal gets fewer total votes than the one advanced by the opposite party.

The two failed votes may have served as an important signal of what was actually possible. And just how frustrated some Republicans on theirs had finally become. It's also likely that force is external. The chamber played an important role. Today marked the second missed paycheck for furloughed federal workers. And this morning saw disruptions to air travel at several East Coast airports including LaGuardia because of staffing shortages believed to be tied to the shutdown. The shutdown related cancellation of the state of the Union address originally scheduled for Tuesday. May have also motivated an attention seeking president to reach a deal. Or at least demonstrated the willingness of Speaker Pelosi to use all of the tactics at her disposal to try and change the political environment in which the parties were negotiating. Of course, the bill that the two chambers are expected to pass and that President Trump has said he will sign. Only keeps the government open until February 15th. Does that mean we'll be right back where we started three weeks from now. It's possible and given Trump's tendency to change his negotiating stance repeatedly. It's hard to predict what's likely to happen in several weeks

in advance. But congressional Republicans are unlikely to want to bear the political costs of being blamed for another shutdown. The Senate Republicans in particular are likely eager to move on to other agenda items. But confirming additional federal judges. Trump also explicitly gave himself an out in his remarks. Mentioning that he could declare a national emergency if Congress does not approve the funding he seeks. Well he's been unwilling to pull that particular trigger. Thus far remains an option though unlikely to be open to legal challenges and with consequences for how we think about the president's emergency powers. Regardless of what happens the next three weeks however this particular chapter of the ongoing conflict between Congress and the president appears to be coming to an end.

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