

THE WALL STREET JOURNAL.

SENATE PASSES \$1.1 TRILLION SPENDING BILL, 56-40

By Kristina Peterson and Siobhan Hughes
December 14, 2014

In a rare weekend session triggered by a conservative revolt against President Barack Obama's executive action on immigration, the Senate on Saturday night passed a \$1.1 trillion government spending bill, sending it to the president for his signature and ending the final budget fight of a Congress riven by them.

Two days after intraparty divisions in the House threatened to derail the measure, a divided Senate narrowly passed the funding bill on a 56-40 vote. It was supported by 31 Democrats, one Independent and 24 Republicans. It was opposed by 21 Democrats, one Independent and 18 Republicans. Passage came after senators reached a deal to end an impasse, and then cleared a pair of procedural hurdles that could have killed the bill's passage.

The fight over the spending bill was a fitting finale for a two-year congressional session that began shortly after resolving the so-called fiscal cliff of January 2013 only to devolve into an impasse that led to the first government shutdown in 17 years last October. A bipartisan budget deal reached late last year eased some of the partisan gridlock, but it will expire at the end of the fiscal year on Sept. 30.

The catalyst for the 10-hour Saturday session was a decision by conservatives led by Sens. Ted Cruz of Texas and Mike Lee of Utah to object to the bill on Friday night over the issue of immigration. Their move did little to stop the funding measure, but it had the effect of bringing senators who thought they had the weekend off back to the Capitol.

What followed was a marathon grind of procedural votes as Senate Majority Leader Harry Reid (D., Nev.), frustrated that the conservatives had tied the Senate in knots, used the time to advance two dozen nominees that Democrats hope to confirm before they lose control of the Senate next year. The end of the session came in focus only after conservatives yielded, agreeing to a deal that speeded up a spending-bill vote and gave Democrats the chance to set up votes on the roughly 24 nominees, such as Mr. Obama's pick for U.S. surgeon general, Vivek Murthy, who Republicans oppose.

As a procedural tactic, the conservatives' move appeared to have backfired, in fact accelerating the vote on the spending bill they oppose and giving Democrats the chance to confirm more nominees than Republicans likely would have agreed to outside a weekend session.

"Most Republicans feel like Christmas came early for Democrats," said Sen. Lindsey Graham (R., S.C.) "At the end of the day, they got nominees" scheduled for votes "and we got nothing."

But the conservative lawmakers succeeded in drawing attention to their immigration stance. Mr. Cruz's action, a point-of-order motion, could have killed the spending bill; Mr. Cruz said

his motion was a referendum on the constitutionality of Mr. Obama's executive action shielding millions of illegal immigrants from deportation. It was defeated 22-74.

"If you believe President Obama's amnesty is unconstitutional, vote yes," Mr. Cruz said on the Senate floor Saturday night.

Many of his Republican colleagues voted no – including incoming Senate Majority Leader Mitch McConnell (R., Ky.) – and in part reflected what aides said were objections to Mr. Cruz's strategy. It was the latest sign of tension within the party and foreshadowed legislative battles over the next two years.

More broadly, some Republicans said that the conservatives' strategy may have set back their cause.

"I fail to see what conservative ends were achieved" by the weekend session, Sen. Jeff Flake (R., Ariz.) said on Saturday. "For some of the nominations, particularly the surgeon general and others...now they move forward."

Other Republicans said the gambit brought the GOP no closer to blocking Mr. Obama's immigration plans. "You should have an end goal in sight if you're going to do these kinds of things," said Sen. Orrin Hatch (R., Utah). "I don't see any end goal that can be won other than just irritating a lot of people."

Mr. Cruz's spokeswoman, Catherine Frazier, said Mr. Reid could have begun work on the nominations at any time. "Sen. Cruz is fighting to have a vote on defunding the president's amnesty, which has nothing to do with Sen. Reid's decision to bring up votes on nominations," Ms. Frazier said.

The path to passage of the spending bill was fraught in both chambers, with the narrow victory in the Senate showing the same dynamics that nearly derailed the bill in the House. Conservatives, under pressure from the Senate Conservatives Fund, which encouraged voters to flood lawmakers with angry calls, were up in arms that the bill didn't include efforts to block Mr. Obama's plan to shield millions of illegal immigrants from deportation. Lawmakers on both sides, especially liberals, objected to one provision paring back part of the 2010 Dodd-Frank overhaul, and another increasing the amount that donors may give to political parties.

"This just isn't the way to govern," said Sen. Claire McCaskill (D., Mo.), who voted no on the spending bill even though it would keep open a Boeing Co. factory in St. Louis by including money for military aircraft. While "this bill includes important provisions for causes I support," she said, "now is not the time to further open the floodgates of big money in our elections with a secretive, last-minute provision that got little or no public debate."

Liberal Democrats, including Sen. Elizabeth Warren (D., Mass.), also voted no because of objections to the Dodd-Frank provision, which would loosen a requirement that banks "push out" some of their riskiest derivatives-trading activities into affiliates ineligible for federal backstop programs such as deposit insurance. Banks argue the requirement actually increases risk by pushing swaps activity into less-regulated entities.

The intraparty tensions were evident on the Republican side as well, especially over immigration policy, and offered a preview of the sorts of clashes that are sure to beset the Senate next year, when Republicans are in charge.

To address conservatives' immigration concerns, congressional leaders had shaped the spending plan so that it funds most of the government through September 2015, but funds the Homeland Security Department, which oversees immigration programs, only through February. That way, they could target Mr. Obama's plan next year when the GOP controls all of Congress. Conservatives such as Mr. Cruz don't want to wait; his Saturday maneuver was aimed at blocking funding for the immigration plan in the spending bill immediately.

After quoting pledges by Mr. McConnell and House Speaker John Boehner (R., Ohio) to vigorously challenge Mr. Obama's immigration executive action next year, Mr. Cruz on Friday expressed skepticism over leaders' plans.

"I take them at their word because the alternative would be that elected leaders were saying something to the American people they don't believe and they don't intend to follow through on. And I very much hope that is not the case," Mr. Cruz said. "We will learn in just a few weeks if leadership intends to follow through on promises they have made over and over again."