

## July 2013 View from Washington DC

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As the summer proceeds we are getting a better idea of what legislation will actually be accomplished this year, and what will be postponed until next year. This being the First Session of the 113<sup>th</sup> Congress, legislation not enacted this year will remain “alive” for consideration next year. Next year, the undivided attention of Members of Congress will be on their re-election bids in November 2014. But until then, during the remainder of 2013, it's possible for compromise and less frenzied partisanship to produce real results.

The most noteworthy example of negotiating compromise is immigration reform. Despite many predictions to the contrary, the Senate has passed a bill allowing a kind of path to citizenship, expand visa and guest worker programs, while beefing up our southern border enforcement. While there remains serious opposition in the House, I have the sense that by the end of the year, immigration reform will get through Congress and to the President's desk.

This week, even the most important tool available to the Minority party in the Senate, the filibuster, was the topic of negotiation and compromise. A filibuster is the Minority party's last (sometimes only) resort to stop the Majority party from passing legislation or confirming a Presidential nomination. Currently it takes 60 votes to halt a filibuster, but the Democratic Majority has only 54 members (52 Democratic Senators plus 2 Independents who caucus and vote with Democrats). So it is difficult to stop a filibuster (known as “getting cloture”). Republicans were vigorously opposed to the President using a controversial procedure. Since earlier this year they had been successful in delaying a Senate vote on a number of Presidential nominees, including the Secretary of the Environmental Protection Agency and the Administrator of the new Bureau of Consumer Finance Protection. After negotiations this week, a vote was allowed and both were confirmed, the President will submit new nominations under regular procedures, so appointments by the National Labor Relations Board, and there will be no change to the 60 vote cloture rule.

There does seem to be bipartisan agreement on delaying implementation of some aspects of the Affordable Care Act (aka “Obama Care”). Although the motivations for such delay might differ between Democrats and Republicans, the “individual mandate” and the mandates for small business to provide insurance are being delayed. Many Republicans support this because they do not like these mandates. Some say the White House and Democratic leaders support the delay until after the November 2014 elections, because these mandates may be sufficiently unpopular as to threaten those (primarily Democrats) who voted for the ACA. But regardless of motivation, both sides support delayed implementation

Sometimes, Republican and Democratic leaders in Congress and the White House, find the oddest places to agree. There appears to be unified position on Edward Snowden; from Republican Senator Lindsay Graham, to House Democratic Leader Nancy Pelosi, to President Obama, they are all calling Snowden a traitor who should be brought back to the US, against his will if necessary, to “pay the price”. But they all appear to be out of touch with American voters. According to a Quinnipiac University national poll released on July 10<sup>th</sup>, 55% to 34% of Americans believe that Edward Snowden is a whistle-blower, not a traitor. Now many Republicans and Democrats appear to be scrambling to shift positions, to get in sync with the public opinion.

This only proves that whether they be Democrats or Republicans, they are all first and foremost - politicians.