

Senate sets up showdown votes on shutdown plans

By ALAN FRAM AND ANDREW TAYLOR
Associated Press



Senate Majority Leader Mitch McConnell, R-Ky., leaves the chamber after speaking about his plan to move a 1,300-page spending measure, which includes \$5.7 billion to fund President Donald Trump's proposed wall along the U.S.-Mexico border, at the Capitol on Tuesday.

AP Photo/J. Scott Applewhite

WASHINGTON — Senate leaders on Tuesday agreed to vote on dueling proposals to reopen shuttered federal agencies this week, forcing a political reckoning for senators grappling with the longest shutdown in U.S. history: Side with President Donald Trump or vote to temporarily end the shutdown and keep negotiating.

Senate Majority Leader Mitch McConnell, R-Ky. set up the two showdown votes for Thursday, a day before some 800,000 federal workers are due to miss a second paycheck. One vote will be on his own measure, which reflects Trump's offer to trade border wall funding for temporary protections for some immigrants. It was quickly rejected by Democrats. The second vote is set for a bill approved by the Democratic-controlled House reopening government through Feb. 8, with no wall money, to give bargainers time to talk.

Both measures are expected to fall short of the 60 votes needed to pass, leaving little hope they represent the clear path out of the mess. But the plan represents the first test of Senate Republicans' resolve behind Trump's insistence that agencies remain closed until Congress approves \$5.7 billion to build a wall on the U.S.-Mexico border. For Democrats, the votes will show whether there are any cracks in the so-far unified rejection of Trump's demand.

Democrats on Tuesday ridiculed McConnell's bill, which included temporarily extended protections for "Dreamer" immigrants, but also harsh new curbs on Central Americans seeking safe haven in the U.S.

Senate Minority Leader Chuck Schumer, D-N.Y., said the GOP plan's immigration proposals were "even more radical" than their past positions. "The president's proposal is just wrapping paper on the same partisan package and hostage taking tactics," offering to temporarily restore programs Trump himself tried to end in exchange for wall funding, Schumer said.

McConnell accused Democrats of preferring "political combat with the president" to resolving the 32-day partial federal shutdown. He said Democrats were prepared to abandon federal workers, migrants and all Americans "just to extend this run of political theater so they can look like champions of the so-called resistance" against Trump.

The confrontational tone underscored that there remained no clear end in sight to the closure. Amid cascading tales of civil servants facing increasingly dire financial tribulations from the longest federal shutdown in history, the Senate chaplain nudged his flock.

"As hundreds of thousands of federal workers brace for another painful payday, remind our lawmakers they can ease the pain," Chaplain Barry Black intoned as the Senate convened.

The planned vote on the Democratic plan marked a departure for McConnell, who had vowed to allow no votes on shutdown measures unless Trump would sign them.

The White House views its latest offer as a test of whether Democratic leaders can hold their members together in opposition, said a person familiar with White House thinking who was not authorized to speak publicly. The administration also wants to show they are willing to negotiate, hoping it will push more blame onto Democrats, who are opposing negotiations until the government reopens. Public polls show Trump is taking the brunt of the blame from voters so far.

"How long are they going to continue to be obstructionists and not solve the

problem and not reopen the government?" White House spokeswoman Sarah Huckabee Sanders said of Democrats.

As the stalemate grinded on, Alaska Airlines said the closure would cause at least a three-week delay in its plan to start new passenger flights from Everett, Washington. Lawrence Yun, chief economist for the National Association of Realtors, said the shutdown could slow home sales by 1 percent in coming months. And a restaurant in Red Bank, New Jersey, owned by musician Jon Bon Jovi joined the list of establishments serving free meals to furloughed federal workers.

McConnell's bill largely reflects the proposal Trump described to the nation in a brief address Saturday. It would reopen federal agencies, revamp immigration laws and provide \$5.7 billion to start building his prized border wall with Mexico — a project Democrats consider an ineffective, wasteful monument to a ridiculous Trump campaign promise.

High court lets Trump, military implement transgender restrictions

By JESSICA GRESKO
Associated Press

WASHINGTON — The Trump administration can go ahead with its plan to restrict military service by transgender men and women while court challenges continue, the Supreme Court said Tuesday.

The high court split 5-4 in allowing the plan to take effect, with the court's five conservatives greenlighting it and its four liberal members saying they would not have. The order from the court was brief and procedural, with no elaboration from the justices.

The court's decision clears the way for the Pentagon to bar enlistment by people who have undergone a gender transition. It will also allow the administration to require that military personnel serve as members of their biological gender unless they began a gender transition under less restrictive Obama administration rules.

The Trump administration has sought for more than a year to change the Obama-era rules and had urged the justices to take up cases about its transgender troop policy immediately, but the court declined for now.

Those cases will continue to move through lower courts and could eventually reach the Supreme Court again. The fact that five justices were willing to allow the policy to take effect for now, however, makes it more likely the Trump administration's policy will ultimately be upheld.

Both the Justice and Defense departments released statements saying they were pleased by the Supreme Court's action. The Pentagon said its policy on transgender troops is based on professional military judgment and neces-

sary to "ensure the most lethal and combat effective fighting force." Justice Department spokeswoman Kerri Kupec said lower court rulings had forced the military to "maintain a prior policy that poses a risk to military effectiveness and lethality."

Before beginning to implement its policy the administration is expected to need to make a procedural filing in one case in Maryland challenging the plan. That request could be made this week.

Groups that sued over the Trump administration's policy said they ultimately hoped to win their lawsuits over the policy. Jennifer Levi, an attorney for GLBTQ Legal Advocates & Defenders, said in a statement that the "Trump administration's cruel obsession with ridding our military of dedicated and capable service members because they happen to be transgender defies reason and cannot survive legal review."

Until a few years ago service members could be discharged from the military for being transgender. That changed under the Obama administration. The military announced in 2016 that transgender people already serving in the military would be allowed to serve openly. And the military set July 1, 2017, as the date when transgender individuals would be allowed to enlist.

But after President Donald Trump took office, the administration delayed the enlistment date, saying the issue needed further study. And in late July 2017 the president tweeted that the government would not allow "Transgender individuals to serve in any capacity in the U.S. Military." He later directed the military to return to its policy before the Obama administration changes.

Defying Pelosi, Trump proceeds with State of the Union plans

By JILL COLVIN
Associated Press

WASHINGTON — The White House is moving forward with plans for President Donald Trump to deliver his State of the Union speech next week in front of a joint session of Congress — despite a letter from House Speaker Nancy Pelosi requesting he delay the speech.

The White House sent an email to the House sergeant-at-arms asking to schedule a walk-through in anticipation of a Jan. 29 address, according to a White House official who was not authorized to discuss the planning by name and spoke on condition of anonymity.

"Nancy Pelosi made the invitation to the president on the State of the Union. He accepted," said White House spokeswoman Sarah Huckabee Sanders. "At this point, we're moving forward."

The move is the latest in a game of political brinksmanship between Trump and the House Speaker as they remain locked in an increasingly personal standoff over Trump's demand for border wall funding that has forced a partial government shutdown that is now in its second month.

The gamesmanship began last week when Pelosi sent a letter to Trump suggesting that he either deliver the speech in writing or postpone it until after the partial government shutdown is resolved, citing security concerns. But the White House maintains Pelosi never formally rescinded her invitation, and is, in essence, calling her bluff.

"She has not canceled it. She asked us to postpone it," White House spokesman



President Donald Trump, center, Vice President Mike Pence, left, escorted by Acting Interior Secretary David Bernhardt, right, visit the Martin Luther King Jr. Memorial on Monday in Washington.

AP Photo/ Evan Vucci

Hogan Gidley said in an interview Tuesday with Fox News Channel.

"We have no announcement at this time," he said, "but Nancy Pelosi does not dictate to the president when he will or will not have a conversation with the American people."

At the same time, the White House is continuing to work on contingency plans to give Trump a backup in case the joint-session plans fall through. The president cannot speak in front of a joint session of Congress without both chambers' explicit permission. A resolution needs to be agreed to by both chambers specifying the date and time for receiving an address from the president.

Officials have been considering a list of potential alternative venues, including a rally-style event, an Oval office address — as Pelosi previously suggested — a speech before the Senate chamber, and even a return visit to the U.S.-Mexico border as Trump is expected to continue to hammer the need for a barrier, according to two others familiar with

the discussions.

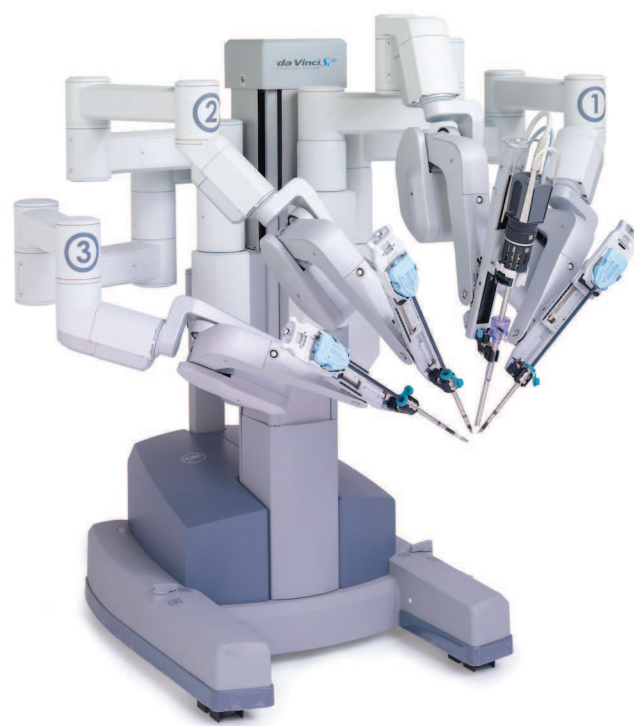
Multiple versions are also being drafted to suit the final venue.

The Constitution states only that the president "shall from time to time give to the Congress Information of the State of the Union," meaning the president can speak anywhere he chooses or give his update in writing. But a joint address in the House chamber, in front of lawmakers from both parties, the Supreme Court justices and invited guests, provides the kind of grand backdrop that is hard to mimic and that this president, especially, enjoys.

Still, North Carolina's House Speaker Tim Moore wrote a letter inviting Trump to deliver the speech in the North Carolina House chamber. And Michigan House Speaker Lee Chatfield on Friday invited Trump to deliver the address at the state Capitol in Lansing instead.

Trump called Moore Monday evening, according to his office, and spoke by phone with Chatfield Tuesday morning, Chatfield tweeted.

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