

Senate moves shutdown-prevention plan that's 'not gonna happen' in House

The addition of some Ukraine aid to the bipartisan spending proposal has immediately imperiled the bill and irritated House Republicans, further risking a shutdown on Oct. 1.

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The bipartisan Senate spending bill released Tuesday is a direct confrontation with the House GOP that risks raising the already high prospects of a government shutdown.

Though the Senate bill shortchanges President Joe Biden's requests for Ukraine and disaster aid, it delivers far more robust funding for both priorities than some senators had contemplated just 24 hours earlier. It contains none of the spending cuts sought by conservatives and funds the government through Nov. 17 mostly at current levels — all things that House Republicans have declined to endorse.

The proposal also offers nothing to Speaker Kevin McCarthy on border policy, an issue that he's [now demanding](#) must be at the center of any government funding deal to avoid a shutdown on Oct. 1. But senators in both parties said the chamber needs to make a move — and fast — given the dysfunction of the House.

"It seems to change every hour, if not by the minute in the House. So I don't think they know what they can do at this point. But we know what we can do ... and that is to send over a [bill] and see what the speaker can do with it," Sen. John Cornyn (R-Texas) said.

Cornyn added that the Senate is flexible in its approach: "I don't think there's such a thing as a final offer. Whatever we need to do to keep the lights on."

Though the bill might be able to pass the Senate by the time funding expires on Sunday morning, it "ain't gonna pass the House," said senior appropriator Rep. Mike Simpson (R-Idaho). The legislation amounts to a challenge from one side of the Capitol to the other, where McCarthy has passed just one of his party's own full-year spending bills. And it sets up exactly the situation that the speaker warned his rebellious conservatives was coming: paralyzed House Republicans getting jammed by the Senate with a bill they refuse to endorse.

"It's not gonna happen over here. It's not gonna happen on the Republican side," Rep. Greg Murphy (R-N.C.) said, pointing to the Ukraine aid.

The Senate took the first step forward on Tuesday in what's likely to be an arduous journey this week through procedural hoops and tough floor negotiations. GOP senators are already openly planning to propose changes to the bill: Sen. Kevin Cramer (R-N.D.) said Tuesday evening he'll be "pushing really, really hard tomorrow ... to get rid of that

Ukraine funding.” That idea, though, would still hit a brick wall in the House, according to Rep. Cory Mills (R-Fla.).

Even if the stopgap spending patch can clear the upper chamber this week, it will do nothing to help McCarthy out of his jam.

Senators’ thinking on the bill evolved quickly over the past few days. Aides in both parties hinted they would craft a simple bill without too many add-ons to see if McCarthy would welcome the chance to take up a simple funding extension as the Sept. 30 deadline neared.

But in the end, the Senate changed course and embraced a strategy aimed at offering antsy lawmakers assurance that disaster and Ukraine assistance programs wouldn’t go entirely unfunded. The White House also made a late and sustained push to include more money for those priorities.

“It’s important for us to go and act. If we can get a good bipartisan vote, it will be an important signal to send to the House. And the speaker will recognize that he should not cater to a small group of extremists,” Sen. Jeanne Shaheen (D-N.H.) said.

McCarthy is already facing the threat of a far-right rebellion, one that would be virtually guaranteed if he put any Senate-negotiated plan on the floor with billions of dollars in Ukraine aid — not to mention a lack of further spending cuts and no border policy changes.

Rep. Dave Joyce (R-Ohio), a senior appropriator who leads the more centrist Republican Governance Group, made clear that he has little interest in a Senate-negotiated stopgap, also known as a continuing resolution or a CR.

“The plan is to get some kind of stopgap funding that includes border security that’s so necessary, to protect us from what the president has allowed to happen on the southern border,” Joyce said.

Instead, the House GOP is expected to pivot back to its own stopgap funding bill, with steep funding cuts and conservative border policy attached.

Monday afternoon, Senate Majority Leader Chuck Schumer sold the bill as a shutdown prevention measure, calling it a “bridge” to more work on a more comprehensive spending plan. Immediately afterward, Senate Minority Leader Mitch McConnell endorsed the bill and savaged the alternative: “Government shutdowns are bad news.”

“I’m more optimistic than when I was yesterday or the day before. At least we’ve got a vehicle to work with here,” Sen. Jon Tester (D-Mont.) said.

The House has “got to look at the realities of this,” he added. “What they are trying to do is insert uncertainty in the process and waste money.”

But the bill is not the “clean” solution many had expected, and that is bound to create procedural hurdles in the Senate. Sen. Rand Paul (R-Ky.) said he will slow down any bill with Ukraine aid, and he alone could probably cause a short shutdown by withholding unanimous consent for a quick vote on the measure released Tuesday night.

Sen. Rick Scott (R-Fla.), meanwhile, is dissatisfied with the disaster relief money. Ukraine and disaster relief would receive roughly \$6 billion each under the Senate’s plan. Asked if he’d hold the bill up, Sen. Ted Cruz (R-Texas) said, “I’ll resolve those procedural questions as they come up.”

“We’ll just have to see how this plays out. ... I mean, it’s hard to predict. It really is,” said Sen. Susan Collins (R-Maine) of the bill’s fate.

McCarthy would have struggled mightily to bring a “clean” bill to the floor, even if the Senate tried to give him one — Republicans across the conference have demanded concessions on the border and other issues. Rep. Bill Johnson (R-Ohio) said “you can’t pass a clean CR here.”

McCarthy is already facing ultraconservatives still enraged over his debt-limit negotiating with Biden this spring, in addition to blatant threats to his gavel if he works with Democrats to avert a shutdown.

Those warnings from the right would include any bill blessed by McConnell.

McCarthy and his leadership team are instead devoting this week to passing their own party-line spending bills. But as they prepare to bring four of the GOP’s most popular proposals to the floor, it’s still not certain that any of them has the votes to pass, according to multiple GOP sources.

Some McCarthy allies had acknowledged that the speaker’s lack of options could eventually force him to put a Senate-approved stopgap on the House floor. But that would only have been an option if the plan remained free of extra spending priorities. Now the speaker is focused on securing border policy concessions from Democrats.

He floated, for the first time on Tuesday, that he would like a sitdown with Biden on the matter.

“The president could keep government open by doing something on the border,” McCarthy said.