

Hicks-Ray Associates

Implementing Strategies, Achieving Success



December 7, 2015

TO: WESTCAS Membership

FROM: Hicks-Ray Associates

SUBJECT: DC Updates/CRomnibus/Omnibus/Continuing Resolution?

It would seem like a talented Broadway composer could come up with a Tony Award winning song titled “CRomnibus/Omnibus/CR.” But we are legislative advocates and not lyricists so we’ll stick to the political part of the process.

The Continuing Resolution that has kept the Federal government open since October 1 expires Friday night, December 11, and President Obama has vowed not to sign another CR. Can Congress and the Administration hammer out an agreement over the next five days that will prevent a government shutdown two weeks before Christmas? Given the fact that this whole process is conducted just one step from chaos, it is hard to predict the exact path that will be taken over the next two weeks to keep the Federal government open. The good news is that it is likely that some accommodation will be reached, if only for the simple reason that Members of Congress want to be home before Christmas.

House and Senate Leadership have been working hard to develop an FY16 Omnibus bill that will fold the 12 un-passed Appropriations Subcommittee bills into a single piece of legislation along with other items such as policy riders. The agreement reached between the President and House/Senate Leaders in November ensures that the funding part of the Omnibus has been pretty well taken care of. But this is not the case with regard to the various riders that address topics ranging from implementation of WOTUS to de-funding Planned Parenthood. It may prove a tall order for Congressional negotiators to come up with a package that is acceptable to the Administration.

If an Omnibus cannot be agreed to, then the next alternative is a “CRomnibus” which would be combination of an omnibus bill that includes as many of the 12 un-passed FY16 Appropriation Subcommittee bills as possible along with a CR to contain those Subcommittee bills deemed to controversial for passage. The FY16 Interior and Environment Appropriations Subcommittee bill has been mentioned as a possible candidate for a CR.

If all else fails, the Congress could simply throw up its hands and pass a year-long Continuing Resolution for all 12 Appropriations Subcommittee bills. This would pretty much continue FY15 through the entire FY16 Fiscal Year and is in our view the worst of all the three scenarios. A year-long CR would not contain any of the Congressional Appropriations riders including the rider that addresses WOTUS.

If you are a betting person, we suggest that the odds are good that this will all be resolved on our before December 18. If you are into more risky wagers, then we suggest you might want to bet on the details ad timing for how this gets resolved over the next couple of weeks.

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