



(UBS)

# Washington Weekly: The Executive Action Barrage

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**President Trump also had a challenging week, at least compared to last week when he opened his second term with a bang and little pushback. The President was forced to rescind a far-reaching executive order on federal spending after it generated significant opposition and confusion. The Governmental Affairs US team takes a look at these issues, and much more in their latest Washington Weekly.**

## **Flooding the zone**

In the first ten days of President Trump's second term, he has issued dozens of federal orders, actions, and declarations covering a wide range of policies. All cover issues he talked about on the campaign trail. The daily announcements have dominated media coverage. With a couple of exceptions, Democrats have had a tough time effectively responding to the frenetic pace and the fast-moving media environment. One exception was Senate Democrats' rejection this week of a bipartisan bill passed by the House that would sanction officials with the International Criminal Court who issued arrest warrants to much of the Israeli government for its pursuit of the war in Gaza. We had thought a few weeks ago that this would be the second bill that Trump signed into law in his new term. Senate Democrats opposed the measure due to Trump's executive order on a federal funding freeze (see below). With the media focusing so much on Trump, Democratic opposition to his actions will likely best reside in the Senate, where Democrats can slow the confirmation process for Trump nominees and legislation that will require their support.

## **Some will fail**

While most of the federal actions that President Trump has put in motion through his orders will go forward as he intends, some may need to be revised substantially while others may be stopped in their tracks by the courts. The durability of the directives ultimately will depend on whether they rest upon firm legal authority. While some likely do not, Trump may see political value to issue them anyway. One example is the President's proposed action to eliminate birthright

citizenship in the US for children of a parent without legal status. This action will likely not pass legal muster, but it fulfills a campaign pledge and shows the President is fighting the status quo on an issue that was pivotal in getting him reelected—immigration.

### Shaky ground

The proposed action to eliminate birthright citizenship order is one of many that will be challenged in court. His actions to fire certain federal workers and reshape the federal workforce will face legal challenges by government employee unions. His order to delay the ban on TikTok in the US may also be subject to legal action. His attempt to freeze federal funding previously approved by Congress has faced a legal challenge and opposition by many in Congress (including some Republicans). Courts acted to delay that action, and the pushback ultimately forced a retreat (see below). While many executive orders ultimately will be carried out, it's important to look at them on a case-by-case basis to assess their legal validity and future.

### Federal funding freeze

On Monday, the Trump administration ordered a freeze on federal spending, which a judge temporarily halted. A memo from the Office of Management and Budget laying out this funding freeze caused significant confusion among federal agencies and federal aid recipients. The confusion and opposition prompted the administration to rescind the order later this week. Many lawmakers were frustrated by the move and cited the prerogative of Congress to fund the government. This tension between the White House and Congress about whether the President must spend money appropriated by lawmakers will continue this year. The big takeaway of this order is that it was quickly proposed and rolled out without taking into account a bigger picture and was unlikely to prevail. Democratic lawmakers consider it their first successful resistance of a Trump federal action.

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