CALENDAR:

The Senate will return Monday, May 4. The House may return the week of May 11.

CONGRESS RETURNS:

Senate Majority Leader Mitch McConnell declared several weeks ago that the Senate would return to work on Monday, May 4, and he even scheduled a roll call vote for 5:30 PM to make sure everyone knew he was serious.

On Monday of last week, House Speaker Nancy Pelosi announced that, after consulting with House Majority Leader Steny Hoyer, she had decided that the House of Representatives, too, would return to work in Washington on Monday, May 4.

She then got on a conference call with her House Democrat colleagues and was roundly criticized by virtually all of them. They all said it was way too early to come back. There was nothing to vote on yet – no so-called “Phase Four” or “CARES 2” bill had yet been introduced, let alone negotiated – so there was no urgent need to return. And if there was no urgent need to return, they argued, then the House should NOT return.

So on Tuesday, Pelosi reversed herself and said the House would NOT return on Monday, May 4. And then, two days later, on April 30, she said that the House might return to work the week of May 11 to consider new coronavirus relief legislation.

FLYNN SETUP:

Well, it’s been more than three years, but it sure looks like there’s now evidence in the public record that indicates that Lt. Gen. Michael Flynn – President Trump’s first National Security Advisor, and the holder of the world record for shortest tenure in that position, as he was fired less than a month into the job – was set up by bad actors at the top levels of the Federal Bureau of Investigation.
On Wednesday, federal District Court Judge Emmett Sullivan unsealed documents provided to Flynn’s defense attorneys last week. The documents reveal the internal brainstorming that took place at the senior-most level of the FBI in January 2017 about how to move further on the investigation into Flynn that should have been shut down weeks earlier, when the FBI concluded Flynn was no agent of the Russian government.

Since Flynn agreed to plead guilty to one count of lying to the FBI, he has fired his old lawyers and retained new counsel. He is now seeking to withdraw his guilty plea, on the grounds that his former counsel gave him bad legal advice. Justice Department lawyers have told Judge Sullivan they are considering that request.

Meanwhile, prosecutors have turned over to Flynn’s lawyers 11 more pages of documents. On Twitter, Flynn’s lawyer described the new documents as “even more appalling” than the documents she received last week.

CORONAVIRUS RESPONSE:

Gideon John Tucker, born in New York in 1826, was 40 years old when, writing in a decision of a will case as the Surrogate of New York County, he declared that “No man’s life, liberty or property are safe while the Legislature is in session.” He was right, of course – when a legislature is in session, there’s absolutely no telling what the assembled politicians might decide to do. And though he did not say it explicitly, the inverse of Tucker’s axiom – that while the legislature is OUT of session, every man’s life, liberty and property ARE safe – seems a reasonable inference.

Consequently, those of us who jealously guard our lives, liberty, and property feel far more comfortable when the legislature is not in session.

So count it as another scar on the body politic caused by the coronavirus crisis that we may no longer feel safe when the legislature is not in session – because the coronavirus crisis has given rise to a new form of threat: legislative action without a legislature in session.

If you go back to the first coronavirus response bill – H.R. 6074, the Coronavirus Preparedness and Response Supplemental Appropriations Act of 2020, which passed the House under Suspension of the Rules on March 4 – and then count forward, through the next three coronavirus response bills, what you see is four bills that will spend $8 billion, $100 billion, $2.2 trillion, and then $500 billion in succession, for a total spend of more than $2.8 trillion.

Not a single one of those bills was subject to a committee hearing in either chamber. Not a single one of those bills was subject to a committee markup session, where committee members could offer amendments or argue over various provisions. Instead, all those bills were negotiated by the leaders of the two parties in the two chambers and with the Secretary of the Treasury – all while the legislature was out of session. And while the House came back on two occasions to at least have half the body indicate its assent, the Senate acted by unanimous consent, negating the need for even half the body to travel back to Washington.
So, thanks to the coronavirus crisis, we are now making law – laws that threaten our lives, our liberties, and our properties – without benefit of a legislature, which means, for all intents and purposes, without any elected officials we can really hold accountable.

Food for thought.

Meanwhile, Leader McConnell and House Minority Leader Kevin McCarthy announced last week that the price for their consideration of the next coronavirus response bill will be to include in it liability protections for businesses, health care workers, and others, so as to avoid a potential calamity when thousands of trial lawyers get their greedy mitts on coronavirus victims and victims’ families. Of course, given that the trial bar is one of the three legs on which the modern Democratic Party sits (the other being Big Labor and the Abortion Lobby), this might be difficult.

McConnell also told his Senate Republican colleagues that he will oppose any Trump Administration attempt to include funding for a massive infrastructure bill in any further coronavirus response legislation, and he encouraged them to join him in his opposition. So that’s apparently off the table, too.

On the down side, Speaker Pelosi – who only reluctantly backed off her demand for additional funding for state and local governments in the last coronavirus response bill, and promised that she would come back for more in the next response bill – declared that she would be seeking not a quarter trillion dollars, not a half a trillion dollars, but an even trillion dollars for state and local governments in the next funding bill.

Remember, the Democrats are trying to use the coronavirus crisis as an excuse to bail out big blue states that were fiscally reckless over the last few decades. Leader McConnell isn’t about to let this happen, and it appears he may have swayed the president to his side.

So at this point, we still do not have a firm idea of what exactly is going to be in the next coronavirus response bill. But I think I’m not going too far out on the limb to say whatever is in it, it’s going to be big, and it’s going to be done with money stolen from our children and our children’s children.

2020 DEMOCRATS:

Call last week “Tara Reade Week” and you wouldn’t be far off.

After more than a month of refusing to respond directly to the allegation that he sexually assaulted a former Senate staffer of his, former Vice President Joe Biden spent Friday morning of last week appearing live on MSNBC’s “Morning Joe” to take direct questions. The first 20 minutes or so of the interview were conducted by Mika Brzezinski, daughter of Jimmy Carter’s National Security Advisor and wife of show host and former Republican Congressman Joe Scarborough.
Biden flat out denied his former staffer’s allegation: “No, it is not true. I’m saying unequivocally it never, never happened ... Believing women means taking the woman’s claim seriously,” he said, before adding, “But in the end, in every case, the truth is what matters. And in this case, the truth is, the claims are false.”

Biden called on the National Archives to release a complaint related to Reade’s allegation if such a complaint could be found in the Archives. He insisted that his personal papers—which he donated to the University of Delaware—would not have any such complaint, because his personal papers did not contain personnel records.

But Friday afternoon his campaign backtracked, sending a letter to the secretary of the Senate, saying that such personnel records “would have remained under the control of the Senate,” before requesting “a search for the alleged complaint” and other documents related to the allegation that might be held in the records of the secretary of the Senate.

Stay tuned. There will be more to come.

SUGGESTED READING

JENNY BETH MARTIN/TEA PARTY PATRIOTS:

Fox News: Jenny Beth Martin: Coronavirus Relief-The Money Train Needs To Stop With The States

TH: Jenny Beth Martin: America's Food Distribution Chain is Essential

NYT: Conservative Groups Advising White House Push Fast Reopening, Not Testing

MS: Anti-Lockdown Protests Backed by Conservative Organizations with Trump Ties

DC: Comcast Loses Another Patent Case In Battle With TiVo

WE: Bill Pascoe: Georgia vs. Michigan: A Tale of Two Governors

CONGRESS RETURNS:

RC: Senate Expected To Return May 4 After Extended Recess During Pandemic

Hill: House To Return To DC Next Monday

Politico: Capitol Physician Says Senate Lacks Capacity To Test All Senators

Politico: House Democrats Decry 'Dangerous' Return To Capitol
Politico: House Drops Plan To Return After Lawmaker Backlash

Hill: House Reverses Plan, Will Not Return To Washington Next Week

Hill: Pelosi Says House May Return Week of May 11

Politico: A Feud Over Face Masks And Pandemic Relief-Congress Returns

FLYNN SETUP:


Politico: Documents Show FBI Debated How To Handle Investigation Of Michael Flynn

Hill: Flynn Documents Are the 'Smoking Gun' on Comey's FBI

Federalist: Your Guide to the Obama Administration's Hit on Michael Flynn

CORONAVIRUS RESPONSE:

Axios: Scoop: McConnell Says He Won't Support Infrastructure In Coronavirus Bill

Politico: McConnell Dangles Aid To States-With A Catch

WaPo: Tensions Emerge Among Republicans Over Coronavirus Spending And How To Rescue The Economy

Politico: Democrats Dismiss McConnell's 'Sad' New Coronavirus Offer

Axios: House Panel: White House Blocks Fauci Testimony on Coronavirus

Hill: Barr Signals DOJ Support for Lockdown Protesters

RC: FDA Allows Drug To Be Used for COVID-19 on an Emergency Basis

CORONAVIRUS SECOND THOUGHTS:

DS: Our Dress Rehearsal For A Police State

Noqreport: Rep. Thomas Massie Has A Plan To Prevent The Coming Food Shortage

WSJ: Ruth Chris Political Backlash
American Greatness: Post Hoc vs. Propter Hoc-American Greatness

WaPo: 'Complete Disbelief' Governors Blindside Front-Line Staff With Abrupt Reopening Plans

Axios: Georgia Governor Brian Kemp To Lift State's Shelter-In-Place Order At Midnight

American Greatness: Trump Still Seems To Be Forgetting Politics 101

Statnews: In The Coronavirus Pandemic, We're Making Decisions Without Reliable Data

NYT: Opinion: It's Not Enough To 'Get Back To Normal'

NYT: Trump Officials Are Said To Press Spies To Link Virus And Wuhan Labs

Gov. Kemp Tweet: Georgia Status

Byron York Tweet: Status

Axios: Creaky Unemployment Systems Overwhelmed By Surge Of Claims

Detroit Free Press: Capitol Protesters Say It Is Time For Michigan State Of Emergency To End

CORONAVIRUS STATE BAILOUTS:

Forbes: Why Illinois Is In Trouble- 109,881 Public Employees With $100,000 + Paychecks Cost Taxpayers $14B

Fox News: Rick Scott Hits Back At Andrew Cuomo For Saying NY Bails Out Florida

PJM: Weaponizing Coronavirus, Leftist Foundations Dedicate Millions To Transform 2020 Elections

PERSONNEL:

WSJ: Joe Grogan To Resign As Top White House Domestic Policy Advisor

2020 DEMOCRATS:

Politico: Oppo Dumps And Behind -The-Scenes Lobbying: Biden's VP Search Heats Up

NYT: Investigate Tara Reade's Allegations

NRO: Joe Biden & Tara Reade-Media & Campaign Hypocrisy Is A National Disgrace

Axios: Timeline: Tara Reade's Sexual Assault Allegations Against Joe Biden
WaPo: Former Neighbor Of Biden Accuser Confirms She Was Told Of An Incident In The 1990s

WaPo: Biden Should Address The Tara Reade Allegations And Release Relevant Records

Politico: Tara Reade Allegations Rattle Biden's VP Search

NYT: Democratic Frustration Mounts As Biden Remains Silent On Sexual Assault Allegation

WaPo: Democrats React To Biden Assault Allegation With Pleas For Explanation-Or With Silence

Politico: Tara Reade Allegations Stir Democratic Unrest

Hill: Biden Addresses Tara Reade Allegations: 'They Aren't True., This Never Happened'.

WE: 'Never Happened': Joe Biden Rebuts Tara Reade Sexual Assault Allegations

NYT: Why Won't TV News Book Tara Reade?

Politico: Biden's Day of Damage Control

NYT: Biden Denies Tara Reade's Assault Allegation: 'It Never Happened'

WSJ: Biden's #MeToo Denial

NYT: Full Transcript: Joe Biden Addresses Tara Reade Allegations on 'Morning Joe'

DW: New Accuser Alleges Sexual Harassment by Joe Biden When She Was 14

MISCELLANEOUS:

Federalist: Politico Effectively Retracts Entire Trump China Article

Politico: Big-Government Conservatives Mount Takeover Of GOP

NYT: Nervous Republicans See Trump Sinking And Taking Senate With Him

Breitbart: WaPo Poll: 65 Percent Of Americans Want All Immigration Stopped

JustTheNews: Overwhelming 70% Of Americans Want Trade Restrictions With China After Coronavirus Pandemic

Politico: Justin Amash Announces Exploratory Committee For President