CALENDAR:

The House will come back on Monday, and stay in session through Thursday. The Senate will return Tuesday, and stay in session through Friday.

LAST WEEK IN THE HOUSE:

The House returned to work on Monday and took up and passed the Rule for consideration of H.R. 1, the Democrats’ election and free speech reform bill.

You remember last week I said the Republicans filed 102 of the 177 amendments to the bill, but they would be lucky to get a vote on a dozen of them? I was off by a wide margin. In fact, Republicans were allowed a recorded vote on precisely one amendment, which was not agreed to. Democrats were allowed recorded votes on five amendments. Three of them, which passed, were en bloc amendments offered by the CA Democrat Congresswoman Zoe Lofgren, the chairman of the House Administration Committee, which has jurisdiction. The other two were an amendment offered by Cori Bush of MO that would have allowed felons to vote, even still incarcerated felons, and one offered by Ayanna Pressley of MA, who wanted to lower the voting age to 16. Both of those amendments were defeated.

So after considering those amendments to H.R. 1 on Tuesday and Wednesday, the House voted to pass the bill as amended, by a vote of 220-210. All the Democrats who voted except for one voted for the bill – the one outlier was Bennie Thompson of MS, who explained, “My constituents opposed the redistricting portion of the bill as well as the section on public finances ... I always listen and vote in the interest of my constituents.” All the Republicans who voted, voted against it.

Then the House also took up and passed H.R. 1280, the George Floyd Justice in Policing Act, by a vote of 220-212, with two Democrats – Jared Golden of ME, and Ron Kind of WI – crossing party lines to vote against it, and one Republican – Lance Gooden of TX – crossing party lines to vote for it.
The House Democrat leadership apparently spends too much time reading QAnon Reddit boards, and was under the impression that there would be a mass attack on the Capitol on Thursday, March 4, the day President Trump was supposed to have been inaugurated for his second term. Consequently, the House Democrat leadership didn’t want to be around on Thursday. So House Democrat leaders decided Wednesday to move up their vote schedule so they could be done Wednesday night and not be there on Thursday, just in case.

THIS WEEK IN THE HOUSE:

The House will come back into session Monday, with the first vote set for 6:30 PM. At that time, the House is scheduled to consider 13 bills under Suspension of the Rules.

On Tuesday, the House will consider the Senate amendments to H.R. 1319, the reconciliation bill, also known as the coronavirus relief package.

On Wednesday and Thursday, the House will consider H.R. 842, the Protecting the Right to Organize (PRO) Act, Big Labor’s top legislative priority of the 117th Congress, and two pieces of gun control legislation – H.R. 8, the Bipartisan Background Checks Act, and H.R. 1446, the Enhanced Background Checks Act of 2021.

H.R. 8, introduced by CA Democrat Mike Thompson, has 131 cosponsors already. The bill says it would “utilize the current background checks process in the United States to ensure individuals prohibited from gun possession are not able to obtain firearms.” Writes The Hill, “The bill would implement new background check requirements for those looking to transfer the possession of firearms between private parties. Under the legislation, ‘a licensed gun dealer, manufacturer, or importer’ would first take possession of the gun while the background check is being conducted.”

H.R. 1446, introduced by SC Democrat Jim Clyburn, has 91 cosponsors. The bill would lengthen the period of time given to conduct a background check for a firearm purchase from its current three days to 10 days.

And then they’ll be done.

LAST WEEK IN THE SENATE:

The Senate came back to work on Monday, and voted to confirm Miguel Cardona to serve as Secretary of Education. The vote to confirm him was 64-33.

Then the Senate voted to invoke cloture on the nomination of Gina Marie Raimondo to serve as Secretary of Commerce.

On Tuesday, the Senate voted by 84-15 to confirm her to that position. Then the Senate voted to invoke cloture on the nomination of Cecilia Rouse to serve as Chairman of the Council of Economic Advisers, and then voted by 95-4 to confirm her to that position.
On Thursday, the Senate took up and passed, by a vote of 50-50, with Vice President Harris casting the tie-breaking vote, the Motion To Proceed to H.R. 1319, the coronavirus relief package.

But before the Senate could move to take up amendments, Wisconsin Republican Sen. Ron Johnson decided he wanted to have the entire country hear the bill read out loud. So, much to the dismay of the Democrats, who wanted to just jam this turkey through, Sen. Johnson objected to the standard request to dispense with the reading of the bill, and insisted instead that it be read aloud. The Senate clerks rotated in 20-30 minute shifts. Beginning at 3:21 PM, and ending almost eleven hours later, at a little after 2 AM Friday morning, they read aloud the 628 pages of the legislation. Then the Senate went home for the night.

The Senate came back into session late Friday morning, and began taking up amendments.

First up was Vermont Democrat Sen. Bernie Sanders’ attempt to put the minimum wage hike back in the bill. The Senate Parliamentarian, you will recall, ruled last week that the minimum wage increase could not be included in the bill because it ran afoul of the Byrd Rule, which tightly limits what can be included in a bill that will pass under the reconciliation process. The Sanders amendment didn’t even come close – eight Democrats crossed party lines to vote with all Republicans to kill the amendment by a vote of 58-42. The eight Democrats who voted against a minimum wage increase were: Tom Carper of DE, Chris Coons of DE, Maggie Hassan of NH, Angus King of ME, Joe Manchin of WV, Jeanne Shaheen on NH, Kyrsten Sinema of AZ, and Jon Tester of MT. I would note in particular that Carper and Coons, both of Delaware, are known to be very close to President Biden.

Here’s what that paragraph I just read didn’t tell you: Between the time the vote on the Sanders amendment began and the time the next measure was voted on, 11 hours and 56 minutes passed. The vote on the Sanders amendment, which required 11 hours and 50 minutes, has now gone down in history as the longest recorded vote in the history of the Senate. Why? Because Senate Democrat leaders found out shortly after the voting period began that they did not have all 50 Democrat senators on board with their plan for the entire Covid relief package, and they held the vote open all day and into the evening while they were negotiating.

And who was the outlier Democrat? If you’ve been paying attention, I’ll only need to give you one guess, and it won’t even be much of a guess – West Virginia’s Joe Manchin. He thought the package was too generous with its unemployment benefits plus up, and he wanted to do something about it. The package that passed the House extended the unemployment benefits from March 14 through August 29, and increased the benefit from $300 per week to $400; Manchin wanted to find a way to reduce that at least somewhat.

OH Republican Sen. Rob Portman introduced an amendment to lower the benefit from $400 back to its current level of $300 per week, and to end the benefits on July 18. That amendment would have avoided the prospect of the benefits running out in the middle of the August recess. The Portman amendment passed by a vote of 50-49, with Manchin crossing over to vote
for it. But Manchin then voted for a later amendment that changed the benefit again – as in the Portman amendment, the benefit stays at its current level of $300 per week, but it will be extended through the first week of September, so it still does not run out while Congress is out of town on its August recess. In addition, recipients of the unemployment benefit who make up to $150,000 per year will get the first $10,200 of unemployment benefits tax-free.

Sen. Hassan of NH, who happens to be in-cycle, offered an amendment to require local school systems to produce a plan for reopening their schools for in-person teaching within 30 days of receiving funds from the bill. Republican Sen. Susan Collins of ME crossed over to vote for that amendment, so it passed by a vote of 51-48.

They voted through the night, knocking down amendment after amendment, all on party line votes. Finally, just a few minutes after noon on Saturday, the Senate voted by 50-49 to pass the bill as amended. Now it goes back to the House, which will take it up and most likely pass it on Tuesday.

**THIS WEEK IN THE SENATE:**

The Senate will return on Tuesday, with the first vote set for 5:30 PM. That will be a vote to invoke cloture on the nomination of Marcia Fudge to serve as Secretary of Housing and Urban Development.

Then, based on the Majority Leader’s cloture filings, I’d predict that the Senate will move to consider the nomination of Merrick Garland to serve as Attorney General, and then Michael Regan to serve as Administrator of the Environmental Protection Agency.

**CONFIRMATIONS:**

As predicted on last week’s call, Neera Tanden’s nomination to serve as Director of the Office of Management and Budget was pulled by midweek. Alaska Republican Sen. Lisa Murkowski, who had been trying to negotiate some kind of deal to help Alaska’s economy in exchange for her vote to confirm Tanden and make up for the loss of West Virginia Democrat Sen. Joe Manchin’s vote, was surprised. She apparently had not even had time to put a firm offer in front of the White House before she learned that the Tanden nomination had been withdrawn. Tough luck for her, and tough luck for Tanden.

On Wednesday, the Senate Finance Committee met to vote out former Congressman and California Attorney General Xavier Becerra’s nomination to serve as Secretary of Health and Human Services. But the committee deadlocked at 14-14 on a straight party-line vote, and failed to report out the nomination with a favorable recommendation. That does not mean Becerra’s nomination is dead; Majority Leader Schumer can – and will – bring it to the floor, but he’ll need to use a motion to discharge the nomination from the committee, and then use up four hours of floor time he didn’t want to have to use. There’s still no guarantee that Becerra will get 50 votes from the Democrats – some Democrats, like Manchin, have kept their powder dry so far.
DEFENDING FREE SPEECH AND ELECTION INTEGRITY:

Now that the House version of the Democrats’ election reform legislation has passed, Minnesota Democrat Amy Klobuchar, chairman of the Senate Rules and Administration Committee – which has jurisdiction over election administration – announced last Wednesday that she has scheduled a hearing for the “For the People Act” for Wednesday, March 24.

SUGGESTED READING:

CONFIRMATIONS:

WaPo: At The Center Of Neera Tanden's Nomination Controversy Is Biden's Chief Of Staff, Ron Klain

Hill: Senate Splits Along Party Lines On Becerra

Politico: Tanden Withdrawal Absolves Murkowski Of Difficult Decision

Politico: Neera Tanden Withdraws As Biden's Budget Chief Pick

Fox News: After Neera Tanden's Defeat, Republicans Set Sights On HHS Nominee Becerra

Breitbart: Conservatives Urge Senate Republicans To Oppose Merrick Garland Confirmation

WE: Becerra Downplayed China's Abuses As A 'Different Perspective' On Human Rights

Politico: Senate Panel Deadlocks On Advancing Biden's Pick For Health Secretary

NRO: Guess Who Just Admitted Kamala Harris And Xavier Becerra Violated The First Amendment

IMMIGRATION:

Politico: 'Not Quite Ready Yet': Democrats Won't Take Up Biden Immigration Plan This Month

DEFENDING THE FILIBUSTER:

Hill: Manchin Unmoved on Filibuster, Keeps Door Cracked Open on Reconciliation for Voting Rights Bill

Hill: White House Says Biden Would Prefer To Not End Filibuster

NY: How Dems Can Turn Filibuster Reform Into the 'Moderate' Option
Politico: AFL-CIO To Explore Taking A Stance On Eliminating Filibuster

Politico: Policing, Guns, Voting Rights: Historic Democratic Goals Hit Senate Skids

Hill: Democrats Near Pressure Point on Nixing Filibuster

GUN CONTROL:

NRA on HR 8

DEFENDING FREE SPEECH AND ELECTION INTEGRITY:

Politico: House Democrats Strike Deal With Moderates On Anti-Corruption Bill

USA Today: Gerrymandering, Absentee Voting: What's In The For The People Act?

RC: HR1 Overhaul Would Set New Holiday And New Rules For Lobbyists, Elections And Justices

WE: House Democrats Pass HR1 Election Overhaul Bill With Public Financing And Automatic Voter Registration

CNN Politics: House Passes Sweeping Election Bill That Would Counter GOP Efforts To Restrict Voter Access

FOX: Mississippi Rep. Bennie Thompson Explains Why He Was Only Dem To Vote Against Massive HR 1 Election Bill

CORONAVIRUS RELIEF PACKAGE:

Politico: Biden's Minimum Wage Increase Runs Afoul Of Budget Rules

RC: Transit, Bridge Funds Knocked Out As Senate Takes Up Aid Bill

WaPo: Biden Administration, Senate Democrats Retreat On $15 Minimum Wage In Relief Bill

Politico: GOP May Hold Keys To Democrat’s Long-Sought Minimum Wage Hike

Hill: GOP Pulling Out All Stops To Delay COVID-19 Package

Politico: Biden's Covid Bill Advances In Senate

Hill: Ron Johnson Grinds Senate To Halt, Irritating Many

Hill: Senate Votes To Take Up Covid-19 Relief Bill
Politico: Biden Strikes Stimulus Deal With Senate Democrats

Epoch Times: 8 Democrats Join Republicans In Rejecting Sanders' $15 Minimum Wage Hike Bill

Hill: Senate Holds Longest Vote in History as Democrats Scramble To Save Relief Bill

WaPo: Senate Passes Biden's $1.9 Trillion Coronavirus Relief Bill After Voting Overnight on Amendments, Sends Measure Back to House

Politico: Senate Approves Biden's $1.9 Trillion Pandemic Relief Plan

Politico: Schumer Leads Dems to Messy but Major Win on Covid Aid

WaPo: What's in the Senate's $1.9 Trillion Covid Bill: Checks, Unemployment Insurance and More

MISCELLANEOUS:

Politico: Gensler: SEC Should Consider Corporate Political Spending Disclosures

Politico: House Republicans Jostle Over Proxy Voting After Florida Trip

WaPo: Biden Hosts House Members For Infrastructure Meeting

Cato: Labor Unions And Racism

Politico: White House Weighs Minimum Wage Negotiations With Republicans

Politico: 'It Is a Trap!': Inside the QAnon Attack That Never Happened