CALENDAR:

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

THIS WEEK IN THE HOUSE:

The House will come back into session on Tuesday, with the first votes as early as 7:15 PM. At that time, the House is scheduled to take up one bill under Suspension of the Rules.

On Wednesday, Thursday, and Friday, the House is scheduled to take up 17 bills under Suspension of the Rules.

At some point, probably on Wednesday, the House will take up H.R. 7, the Paycheck Fairness Act, and H.R. 1195, the Workplace Violence Prevention for Health Care and Social Workers Act. The Paycheck Fairness Act would amend the Fair Labor Standards Act to provide more protection to employees who face gender discrimination. The Workplace Violence Prevention for Health Care and Social Workers Act would require employers in the health care and social-service areas to create workplace violence prevention plans for their employees.

And then they’ll be done.

THIS WEEK IN THE SENATE:

The Senate will return to session on Monday, with the first vote set for 5:30 PM. At that time, the Senate will proceed to a roll call vote on cloture on the nomination of Polly Ellen Trottenberg to serve as Deputy Secretary of Transportation.

Then, based on the Majority Leader’s cloture filings, I think the Senate is going to consider the following nominations:

- Wendy Ruth Sherman to serve as Deputy Secretary of State
• Gary Gensler to be a Member of the Securities and Exchange Commission for the
  remainder of the term expiring June 5, 2021
• Brenda Mallory, to serve as a Member of the Council on Environmental Quality

In addition, it was reported that Schumer also told his fellow Senate Democrats that
confirmation of Lisa Monaco to be Deputy Attorney General and Vanita Gupta to be Associate
Attorney General would be on the schedule for this week. The Senate Judiciary Committee
approved Monaco’s nomination by voice vote before the recess, but Gupta’s vote tied at 11-11,
meaning Schumer will have to spend floor time on a debate over a motion to discharge Gupta’s
nomination from the committee for floor consideration.

Majority Leader Schumer also filed cloture on the Motion To Proceed to S. 937, the COVID-19
Hate Crimes Act introduced by Hawaii Democrat Sen. Mazie Hirono. That bill would expedite
prosecutions of perceived hate crimes related to COVID-19, which is another way of saying they
would be hate crimes committed against Asians or Asian-Americans because of their perceived
responsibility for the arrival of the novel coronavirus from China, which, of course, is ridiculous,
but just try explaining that to Senate Democrats. There are no Republican cosponsors to the
legislation, and I imagine word will come from the GOP side that there will not be ten
Republicans to vote for the Motion To Proceed, so we’ll finally have our first threatened
filibuster of the 117th Congress.

STEALING A HOUSE SEAT:

On Wednesday, March 31, House Minority Leader Kevin McCarthy visited Iowa with freshman
Republican Congresswoman Mariannette Miller-Meeks, who won the contest in Iowa’s 2nd
congressional district by just six votes. Miller-Meeks’ victory was being challenged by Iowa
Democrat Rita Hart, who had lost to Miller-Meeks.

On the very same day that McCarthy visited Iowa to show support for Miller-Meeks, Hart
announced that she would concede defeat and withdraw her challenge.

VACANCIES:

On Tuesday, April 6, Florida Democrat Congressman Alcee Hastings – the dean of the Florida
delegation, and the only man I know of who was elected to the House of Representatives AFTER
having been impeached and convicted and removed from his position as a federal judge – died,
at the age of 84. His passing expanded to six the number of vacancies in the House of
Representatives.

One of those vacancies will be filled this week, when Julia Letlow, the widow of the late Rep.-
Elect Luke Letlow, takes office representing Louisiana’s 5th congressional district.

After she is sworn in, there will be 218 Democrats and 212 Republicans in the House, with five
remaining vacancies – four vacancies in seats that previously had been held by Democrats, and
one vacancy in a seat that had been held most recently by a Republican.
COURT PACKING:

On Friday, President Biden announced the formation of a 36-member commission to figure out if and how he can do what even the sainted Democrat president, Franklin Delano Roosevelt, could not – to wit, pack the Supreme Court with additional liberal justices, so as to reverse the ideological balance on the Court. Of course, that’s not how the White House phrased it in the press release. And what’s particularly odd is that in the executive order establishing this commission, the commission is not set to issue specific recommendations at the end of the 180 days the study will take. Instead of issuing recommendations, the commission will issue a research paper.

The executive order tasks the commission with examining the history of the Supreme Court, past changes to the process for nominating justices, and what might be the potential consequences of altering the number of justices on the Supreme Court. In addition, the commission will also consider the idea of term limits for the justices.

The Constitution does not set the number of justices on the Supreme Court. The Constitution is, in fact, totally silent on the question. But the number has been set at nine by statute since 1869. And we’ve told you previously about Texas Republican Senator Ted Cruz’s “Nine Is Fine” Constitutional amendment, to set the number of justices on the Court at nine, to prevent the Congress from messing with it. That amendment has 17 cosponsors.

By coincidence, just a few days before President Biden issued the executive order establishing this commission, Justice Stephen Breyer – at 82, the oldest member of the Court, and one of the three liberal justices – warned that efforts to pack the Court would not be helpful. “I hope and expect that the court will retain its authority,” he said to Harvard Law School students. “But that authority, like the rule of law, depends on trust, a trust that the court is guided by legal principle, not politics. Structural alteration motivated by the perception of political influence can only feed that perception, further eroding that trust.”

GEORGIA ELECTION LAW REFORMS BACKLASH:

On Friday, April 2, Rob Manfred, the Commissioner of Major League Baseball, announced that in response to the enactment of voting law reforms in Georgia, MLB would withdraw the MLB All-Star Game from Atlanta. And then, a few days later, MLB announced it would relocate the All-Star Game to Denver.

Jenny Beth published a column at Townhall Saturday about this decision. You can find it in the Suggested Reading.

Georgia removed its requirement for signature verification; Colorado still requires it for mail-in ballots.

Georgia allows 17 days of early voting; Colorado only allows 15 days of early voting.
Georgia does not allow third parties to hand out food and water to voters waiting in line within 150 feet of a polling place; Colorado similarly restricts handing out food and water, but sets the limit at 100 feet. But that’s less than the distance from the pitcher’s mound to home plate, so is the difference really that much?

Stay tuned. This battle has only just begun. It’s not just MLB versus Georgia, there will be other corporations that get involved, and there will be other states that are targeted.

**GUN CONTROL:**

On Thursday, in response to two mass shootings last month, President Biden announced a series of executive actions on gun control.

He issued new rules on so-called “ghost guns” – that is, firearms that are assembled at home, which have no serial numbers and are harder to track. He directed the Justice Department to draft a new rule to regulate a device that can turn a pistol into the equivalent of a short-barreled rifle. He also directed DOJ to draft a new template that states could use to implement so-called “red flag” laws.

**USING A BUDGET RESOLUTION AGAIN. AND AGAIN.**

Last Monday, Senate parliamentarian Elizabeth MacDonough ruled that Senate Democrats can re-use the already-passed Fiscal Year 2021 budget resolution by amending it – and thereby use the reconciliation process again to pass a second large piece of legislation with essentially the same resolution. That means President Biden’s two-stage infrastructure package could pass with just 50 votes and Vice President Harris’ tie-breaking vote. Senate Majority Leader Chuck Schumer could use the Fiscal Year 2022 budget resolution for the second half of the infrastructure package, or he could simply amend the FY21 budget resolution a second time and use it for a third reconciliation bill.

There are still questions about this ruling. It’s never been done before, and we have not heard directly from the parliamentarian – instead, we learned of this ruling courtesy of a spokesman for Schumer. So we don’t know if there’s a limit on how many times the budget resolution could be amended to set new reconciliation targets, for instance. Can it be done more than once? That would seem a reasonable inference, based on what we’ve been told.

Here’s what we DO know – it will take up floor time. Every time a budget resolution passes, and a reconciliation bill is drafted, that requires a “Vote-a-Rama” in the Senate. So if Schumer decides to bring the infrastructure package to the floor using the reconciliation process, that will mean two more “Vote-a-Ramas.” And that’s two more “Vote-a-Ramas” for every time he chooses to amend that budget resolution and pass a reconciliation bill. So if he tries to bring BOTH halves of the infrastructure package to the floor under reconciliation, that would mean FOUR “Vote-a-Ramas.”
DEFENDING THE FILIBUSTER:

On Wednesday, West Virginia Democrat Sen. Joe Manchin published an op-ed in The Washington Post. In it, he wrote:

The filibuster is a critical tool to protecting that input and our democratic form of government. That is why I have said it before and will say it again to remove any shred of doubt: There is no circumstance in which I will vote to eliminate or weaken the filibuster. The time has come to end these political games, and to usher a new era of bipartisanship where we find common ground on the major policy debates facing our nation.

He then went on to point out that on the two most recent attempts to change the rules of the filibuster – in 2013, when then-Majority Leader Harry Reid lowered the threshold to a simple majority for confirmation of Cabinet members and non-Supreme Court judicial appointments, and then, in 2017, when then-Majority Leader Mitch McConnell lowered the threshold to a simple majority for Supreme Court appointments – Manchin had voted against changing the rules.

And then he turned his attention to the ruling earlier in the week by the Senate parliamentarian, regarding reusing an amended budget resolution:

I simply do not believe budget reconciliation should replace regular order in the Senate. How is that good for the future of this nation? Senate Democrats must avoid the temptation to abandon our Republican colleagues on important national issues. Republicans, however, have a responsibility to stop saying no, and participate in finding real compromise with Democrats.

Stay tuned. The Manchin Show will be one of the keys to the enactment of the Biden agenda.

REPARATIONS:

On Wednesday, the House Judiciary Committee will hold a markup on H.R. 40, a bill that would establish a commission to examine the history of slavery in America and develop proposals for reparations. If the bill comes out of committee, it could be set for consideration soon on the House floor.

Though a similar measure has been introduced in a prior Congress, it has never before made it out of committee.
TEA PARTY PATRIOTS/JENNY BETH MARTIN:

TH: Jenny Beth Martin: MLB's Decision Has to Do with Woke Virtue Signaling, Not Voting Rights

Hill: The Memo: Boehner's Blasts Don't Move Today's GOP

STEALING A HOUSE SEAT:

Politico: GOP Leaders Pressure Democrats Over Iowa House Race

DesMoines Register: Iowa's 2nd District: Democrat Rita Hart Drops Her U.S. House Challenge

Politico: Democrat Drops Election Contest In Iowa House Race

WE: Rita Hart Drops Election Challenge In Iowa House District, Giving Republicans Final 2020 Win

COURT PACKING:

Politico: Justice Breyer Says Big Supreme Court Changes Could Diminish Trust

Politico: Psaki: Biden Won't Pressure Breyer To Retire

NYT: Biden Creating Commission To Study Expanding the Supreme Court

WSJ: Biden Orders Study of Supreme Court Changes

McConnell Release: McConnell on Court-Packing Commission: Disdain for Judicial Independence

GEORGIA ELECTION LAW REFORMS BACKLASH:

Politico: Graham Blasts Biden For Response To Georgia Election Law: He 'Played The Race Card'

NYT: Biden Says He Would Support Moving All-Star Game Over Georgia Voting Law

Newman Times Herald: Rep. Ferguson Fires Back At Delta CEO

WSJ: CEO's Selective Virtue Signaling

WSJ: Rob Manfred's All-Star Error
Hotair: Epic: MLB Relocates All-Star Game To State With Voter-ID Laws

WaPo: Republicans Ramp Up Attacks On Corporations Like Coca-Cola, Delta And MLB Over Georgia Voting Law

WE: MLB Picks Denver To Host All-Star Game After Ditching Atlanta

FanGraphs Baseball: Baseball's Antitrust Exemption: A Primer

NBC Sports: Today In Baseball History: Baseball Gets Its Antitrust Exemption

WaPo: HP, Dow, Estee Lauder Among 200 Companies Speaking Out Against Proposed State Voting Laws

Hill: More GOP-Lead States Risk Corporate Backlash Like Georgia's

WSJ: The Biden Baseball League

Hill: Backlash Grows Against Georgia Voting Rights Law

WaPo: How Biden's Support For The All-Star Game Boycott Divided Democrats In Georgia

GUN CONTROL:

Hill: Biden Expected To Announce Executive Action On Guns

VACCINE PASSPORTS:

WaPo: Republicans Attack Biden Administration Over Vaccine Passports

Politico: Rep. Doug LaMalfa's Bill

Hill: Exclusive: Biggs Offers Bill Banning Federal Vaccine Passports

THE CORRUPT POLITICIANS ACT:

Fox News: RNC Launches Major Campaign Blitz To Block Democrats' Election-Reform Push

NYT: Democrats Splinter Over Strategy For Pushing Through Voting Rights Bill

USING A BUDGET RESOLUTION AGAIN. AND AGAIN.

Politico: Dem's New Budget Gambit Comes With Big Risk

Hill: Schumer Eyes Bypassing Filibuster For Third Bill
WSJ: Schumer's New Filibuster Evasion Plan

Politico: Schumer's Filibuster Workaround Spurs Mass Confusion

WSJ: Biden's Infrastructure Plan Faces New Hurdle In Senate Rules

NRO: Joe Manchin Throws Cold Water On. Schumer's Plans To Bypass The Filibuster

NYT: How A Senate Ruling Could Help Push Biden's Agenda Through Congress

Hill: Five Ways An Obscure Senate Ruling Could Change Washington

Hill: Schumer Gets His Game Changer

Politico: Dems Can Use Unprecedented Move For An Extra Filibuster-Proof Bill, Schumer Aide Says


RC: Second Filibuster-Proof Maneuver OK'd By Senate Parliamentarian

WT: Elizabeth MacDonough, Senate Parliamentarian, Rules Democrats Can Sidestep Two More GOP Filibusters

WSJ: Senate Parliamentarian Rules In Favor Of Democratic Reconciliation Effort

INFRASTRUCTURE:

Politico: Biden Looks For An Infrastructure Win Where Obama And Trump Failed

WaPo: President Biden's Infrastructure Plan Could Face Objections In Congress

RC: What's In Biden's Infrastructure Investment, Corporate Tax Plan

Politico: Biden To Unveil $2 Trillion, 8-Year Infrastructure Plan

WT: Joe Biden Rolls Out $2.25 Trillion Spending Plan For Infrastructure, Caregiving, Manufacturing

NYT: The Fate Of Biden's Agenda Hangs In The Balance

NYT: 40 Years After Reagan, A Bet Big Government Can Get Something Done

Politico: Infrastructure Year: Dems Brace For Brutal Slog To Pass Biden's $2.5T Plan
RC: GOP Response Puts Biden Infrastructure Plan On Road To Reconciliation

Politico: McConnell Rules Out GOP Support For Biden Spending Plan

NRO: McConnell Vows To Fight Biden Infrastructure Plan Every Step Of Way

NRO: Biden Infrastructure Plan A Massive Political Slush-Fund

Hill: Coons Says Bipartisan Infrastructure Package 'Likely' To Be Smaller, Not Fully Financed

CNN Politics: Fact Check: Biden Administration Officials Falsely Describe Infrastructure Jobs Estimate

TAX HIKE:

CNN Politics: Buttigieg Says No Gas Or Mileage Tax In Biden's Infrastructure Plan

Hill: Democrats Wrestle Over Tax Hikes For Infrastructure

Bloomberg: Pelosi 'Sympathetic' To Move To Lift SALT Cap In Biden Bill

WE: Trump-District Democrats Face Pressure Over Tax Hikes

Axios: Biden Doesn't Plan To Reinstate SALT Deduction In Tax And Spending Plan

Hill: Biden Seeks $2.5T In Corporate Tax Hikes To Fully Pay For Infrastructure

DEFENDING THE FILIBUSTER:


WaPo: Opinion: Joe Manchin: I Will Not Vote To Eliminate Or Weaken The Filibuster

WSJ: Kyrsten Sinema Defends Filibuster As Pressure Mounts From Progressives

LAT: Feinstein Open To Blocking Senate Filibuster For Voting Bill

Federalist Society: Former Senator Carl Levin's Defense Of The Filibuster

REPARATIONS:

CBS: Bill That Could Lead to Slavery Reparations Proposals May Be Nearing Consideration on House Floor
MISCELLANEOUS:

Politico: Freedom Caucus Frets Over How Far To Push Its Rebellion

NRO: Who Is Judge Ketanji Brown Jackson?

WaPo: Biden Picks Judge Ketanji Brown Jackson To Succeed Merrick Garland On Federal Appeals Court In Washington

Fox News: San Diego Public School Teachers To Give Migrant Kids In-Person Instruction Before Their Own Students

CNBC: CDC Will Extend National Ban On Evictions Ban Through End Of June

Politico: Dems Could Dethrone Iowa

WT: 13 States Sue Biden Administration To Block Tax-Cut Ban In Federal Stimulus Package

Hill: The Biggest Campaign Issue Of 2022?

WT: DHS May Restart Border Wall Construction To Plug 'Gaps'

Axios: Mike Pence Launches New Policy Group In First Step Toward 2024

Senate Republican Leader: Press Release

Hill: Hunter Biden Says He Doesn't Know If Delaware Laptop Was His

NYT: With Warning To Democrats, Manchin Points The Way For Biden's Agenda

WaPo: Biden Administration Spending $60 Million Per Week To Shelter Unaccompanied Minors

Politico: Biden Administration: Child Arrivals At Southern Border Hit Record Number In March

WSJ: A State Lockdown Accounting

AIER: Great Barrington Declaration Scientists with Gov. DeSantis in Florida