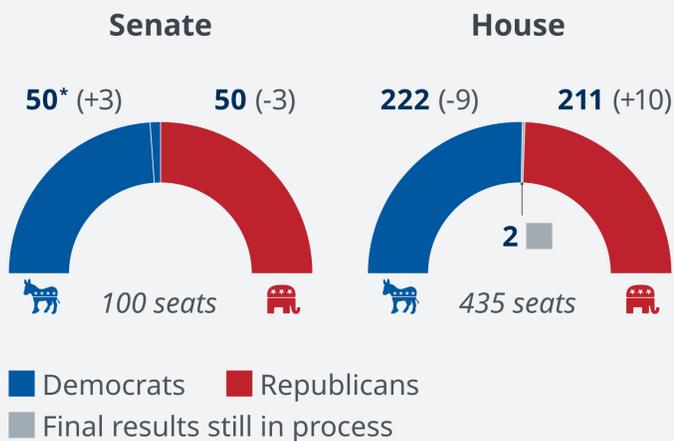


After the turmoil from the U.S. Capitol riots and the confirmation of Joe Biden as president, the result is a Democratic-controlled House of Representatives and Senate. President Biden takes office with an ambitious policy agenda involving COVID relief and vaccination, climate change, racial justice, immigration, and restarting the economy. While the president holds a party majority in both the House and Senate, he will need support from the Republicans to implement his full agenda.

Democrats to hold majority in both Congressional chambers

Results of the 2020 congressional elections



*Two independent senators currently support the Democrats. The vice president (Democrat Kamala Harris) is also Senate president and casts tie-breaking votes

Senate Control & Georgia Run-off Election

Democrats took control of the Senate for the first time since 2014, though with a 50-50 split. It required a run-off race in Georgia, several weeks after the November General Election. Both Senate seats in Georgia were up for election in 2020—the Class 2 seat held by Senator David Perdue and the Class 3 seat held by appointed senator Kelly Loeffler (special election). No candidate in either race won a majority (50%+) as required by Georgia State law, forcing run-off elections for both seats held on January 5, 2021. Senator Perdue’s term expired on January 3, 2021, resulting in a vacancy until the run-off election winner was sworn in. Democrats Jon Ossoff and Raphael Warnock defeated Perdue and Loeffler, respectively, in the run-off elections and were sworn in on January 20, bringing the party division to 50 Republicans, 48 Democrats, and 2 Independents (who caucus with the Democrats). Democrats hold the majority due to the tie-breaking vote of Vice President Kamala Harris.

The Senate Filibuster

A filibuster is a long-standing tool used by senators in the minority to block a vote on a bill by endlessly debating the measure. The filibuster has been around since the early days of Congress, a recognition that the “world’s greatest deliberative body” should never shut off the exchange of ideas. The only way to stop debate and force a vote is if 60 members agree to do so. And while Democrats now control the Senate thanks to Georgia and Vice President Kamala Harris as president of the chamber, they only have 50 votes – not enough to stop debate and force a vote if Republicans decide to filibuster.

The filibuster strategy has gained a reputation in recent decades as more an obstacle used to kill legislation rather than a tool to encourage debate. South Carolina Sen. Strom Thurmond, then a Democrat, filibustered for 24 hours and 18 minutes against the Civil Rights Act of 1957.

The Democrats can attempt to eliminate the Senate filibuster. Doing so would require 51 votes, but moderate Democrats like Senator Joe Manchin (WV) and Kyrsten Sinema (AZ) are reluctant to back that effort.

Other Lawmaking Options

The president does have options. He could continue signing executive orders to carry out portions of his agenda. Examples of these executive orders include requiring masks on airplanes and several of President Trump’s earlier orders. Some Democrats are pushing the use of a legislative mechanism known as “reconciliation” that would bypass the filibuster and allow passage of a bill by a simple majority. New Majority Leader Chuck Schumer, D-N.Y., said reconciliation is one of the “tools” his caucus is seriously considering with COVID-19 relief.

The political trifecta – *the White House, the Senate, and the House* – gives President-elect Joe Biden more leverage in enacting his policies. However, as we have learned, there are significant roadblocks and will require to reach out and find common ground with Republicans.

REVIEW QUESTIONS

TRUE OR FALSE? Write a **T** or **F** in the space provided.

1. President Trump had control of both houses.
2. The Democrats gained 3 seats in the 117th Congress.
3. During the November election in Georgia, no senatorial candidate won a 50%+ majority.
4. President Biden casts tie-breaking votes in the Senate if Kamala Harris is not available.
5. Filibusters have only been used by the Republican Party.
6. Executive orders are rarely used by presidents.
7. President Biden is considered to have a “political trifecta.”

Answers: 1-F, 2-T, 3-T, 4-F, 5-F, 6-F, 7-T