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Democrats Celebrate Two Georgia Senate Wins

JANUARY 6 AND JANUARY 20, 2021

On November 7, 2020, most major news outlets called the presidential election in favor of Joseph R. Biden. This victory for Democrats came in addition to their continued hold on the House majority; however, whether the incoming Biden administration would be able to fulfill any of its legislative agenda turned on the outcome of two runoff races for Georgia's Senate seats. A surge of Democratic turnout coupled with mistrust in the election process propagated by Donald Trump carried both Democrats to victory on January 5, 2021. This secured a 50–50 tie in the Senate, with incoming vice president Kamala Harris acting as the tiebreaker as necessary.

DEMOCRATS, REPUBLICANS RETURN TO THE CAMPAIGN TRAIL

Heading into Election Day, the Senate was split 53–47 in favor of Republicans, with thirty-five seats up for reelection. In their bid to take control of the chamber, Democrats targeted a number of states—including Arizona, Colorado, Maine, and North Carolina—where they thought they might have a chance to secure a seat by capitalizing on President Trump's unpopularity with some pockets of the electorate. On November 3, they were victorious in flipping only Arizona and Colorado, and they lost one Alabama seat to Republicans. By November 7, the day most media networks called the presidential election for Biden, the Senate tally sat at a 50–48 Republican majority, with two outstanding seats yet to be decided in Georgia. The Peach State had both a general and special Senate seat on the ballot on November 3, but no candidate in either race received the more than 50 percent of the vote required to win. Both seats would thus be decided by a runoff, with the top two vote getters in each race facing off against each other on January 5, 2021.

One race featured Republican incumbent David Perdue and Democrat Jon Ossoff, a thirty-three-year-old documentary filmmaker. On November 3, Perdue received 88,000 more votes than Ossoff, just slightly shy of the more than 50 percent threshold. In the second race, incumbent Kelly Loeffler, a Republican who was appointed to fill the vacancy left in 2019 after Senator Johnny Isakson's resignation, ran against Reverend Raphael Warnock, a Democrat and pastor at Atlanta's famed Ebenezer Baptist Church. In the initial vote tally, Warnock received around one-third of the vote to Loeffler's one-quarter.

Historically speaking, Democrats looked unlikely to win either contest. A Democrat had not won a Senate race in Georgia in two decades, and turnout was traditionally lower for Democrats than Republicans in a runoff race. Added to this, according to many historians, the state's runoff system was designed to diffuse the power of Black voters, who frequently supported Democratic candidates. For decades, the state's electoral system decreased Black voting power by concentrating it with rural whites. When the Supreme Court struck that system down in 1962, the state created its existing runoff system, which

requires a candidate to win with a majority of the vote rather than a plurality. In doing so, the system's creator essentially limited the power of Black citizens voting as a bloc. As a result, Democrats infrequently win runoffs. In fact, since 1992, Democrats had lost all eight of Georgia's statewide runoffs.

A situation like that in 2020 had played out in both 1992 and 2008. In those years, Georgia had runoffs for its Senate seats after a Democrat won the White House, and in both instances, the Democrats were handily defeated. Yet there were signs that momentum might shift in favor of the Democrats in the early 2021 race. Trump and his supporters relentlessly raised suspicion about the integrity of the vote in states he lost, including Georgia, and actively tried to reverse the outcome. The president even pressed Brad Raffensperger, the Republican secretary of state, to "find" approximately 12,000 votes to help Trump win. Some party officials publicly worried that the president's rhetoric would not only push more Democrats to the polls but might also cause Republicans to stay home, convinced the election was rigged.

The Republican campaigns also had to contend with shifting demographics that Democrats had for years been trying to capitalize on to put Republicans in the minority. Young, racially diverse individuals were moving to the state's metropolitan and suburban areas, replacing older, white, and historically Republican voters. Stacey Abrams, a former Democratic member of the state house and 2018 candidate for governor, was one of the leaders in this long-running initiative to turn Georgia blue. Abrams's loss in 2018 by less than 55,000 votes made clear that Georgia, which had largely been written off by Democrats at the state and national level, could shift with the right organizing tactics and sustained voter registration and outreach. In the lead up to 2020, Abrams's grassroots group, Fair Fight, and others like it helped register more than 800,000 new voters. As a result, Biden not only became the first Democratic presidential contender since 1992 to win in Georgia, but he also garnered more than 2.4 million votes, beating the best turnout a Democrat ever had by upward of 500,000 votes. When the runoff date was announced, Democrats hoped Abrams and others like her could again do what many previously thought was unlikely: help Georgia send two Democrats to the US Senate.

WARNOCK AND OSSOFF DECLARED VICTORIOUS

On the campaign trail, the Republicans told their supporters that electing Warnock and Ossoff would mean a socialist takeover of national politics. Both Loeffler and Perdue continued to support Trump in his bid to overturn the outcome of the presidential race. Neither candidate shied away from the president's false statements about election system integrity and fraudulent ballots, even as they implored their supporters to get out and vote. Perdue tried to cast Ossoff as a trust fund baby who was out of touch with Georgians and questioned his ties to foreign governments as the head of a London-based media company. Loeffler lobbed her own attacks at Warnock, calling him "radically liberal" and accusing him of using his position as a pastor to make anti-Israel, antipolice, and antimilitary remarks.

Democrats, however, homed in on both Loeffler and Perdue's embrace of Trump as well as their personal finances. Loeffler was the wealthiest member of Congress at the time, and Perdue had completed more stock trades than any senator, leading Ossoff to raise questions about whether Perdue was engaged in illegal insider trading. The Democrats campaigned on a message that their election would ensure the enactment of

Democratic priorities, including voting rights legislation that would protect minority voters, economic relief for families still reeling from COVID-19, and better control over the health aspects of the pandemic, including vaccine distribution and testing.

That messaging—combined with strong grassroots organizing—carried both Democrats to victory. In the final vote tally, Warnock topped Loeffler 51 percent to 49 percent, while Ossoff earned 50.6 percent of the vote to Perdue's 49.4 percent. Warnock would become Georgia's first Black senator, and only the eleventh in U.S. history, while Ossoff would be the youngest Democrat elected to the Senate since Biden in 1972. In celebrating his victory, Warnock spoke of his mother, a former farmworker. "The other day—because this is America—the 82-year-old hands that used to pick somebody else's cotton went to the polls and picked her youngest son to be a United States senator," Warnock said. Ossoff, the first Jewish senator from Georgia, thanked voters, saying, "Everybody who cast your ballot, everybody who put your faith and confidence in our democracy's capacity to deliver the representation that we deserve—whether you were for me, or against me—I'll be for you in the U.S. Senate."

Some Republicans were quick to blame Trump for their dual losses in Georgia. "Republicans who firmly believed that the election was stolen and that if they went to vote, their vote wouldn't matter, stayed home," explained Jason Shepherd, the Cobb County Republican Party chair. The Democratic wins were also driven by around 225,000 voters who did not cast a ballot on November 3 but did show up on January 5. Many of these voters were people of color. "If it wasn't for the relatively high mobilization of African Americans and other nonwhite voters in Georgia, Ossoff would have lost. Warnock might have lost; it would have gone to a recount. But Republicans would control the Senate," said Bernard Fraga, a political scientist at Emory University. "From organizing, to voter protection to constituency outreach, Democrats made critical investments in Georgia, did the work, and it paid off," summarized Jen O'Malley Dillon, Biden's campaign manager.

The Democratic National Committee celebrated the Ossoff and Warnock wins and the progress the party hoped to make in the coming year. "Now it's time to bring our country together to get things done for the American people. It's time to make progress instead of blocking it. It's time to expand access to health care. It's time to take bold action to end this pandemic, revive our economy, and expand opportunity to all Americans," said Democratic National Committee (DNC) chair Tom Perez.

IMPACT OF THE GEORGIA ELECTION IN CONGRESS

With the Warnock and Ossoff victories, the Senate was tied 50–50, only the second time this had occurred in the past six decades. In practice, the Constitution allows the vice president to cast a tiebreaking vote when needed, thus with Biden in the White House, Democrats had the upper hand. However, such a slim majority meant that Democratic leadership would need to work more closely with the most centrist members of its caucus to move the Biden-Harris legislative agenda through the chamber. Throughout 2021, this was likely to give certain individuals, namely Senators Joe Manchin of West Virginia and Kyrsten Sinema of Arizona, outsized influence in their party.

Two specific priorities of the progressive wing of the Democratic caucus were unlikely to pass in the 50–50 Senate: expanding the number of justices on the Supreme Court and ending the filibuster and its sixty-vote threshold. The latter means that for many bills that reach the Senate floor, Democrats will need a minimum of ten Republicans to vote with

them for passage, a monumental task given that there are only a handful of Republicans in the Senate who had recently crossed party lines on major legislation. For bills tied only to taxes or spending, Democrats could rely on the budget reconciliation process, which requires only a simple majority for passage—and which has been used in past years by both parties to enact major pieces of legislation, including the Patient Protection and Affordable Care Act of 2009 and the Tax Cuts and Jobs Act of 2017. But even that would require ensuring all fifty Democrats vote as a bloc (or that there are enough Republicans who would vote with Democrats), a difficult feat with Democratic socialist members on one end of the spectrum and centrists on the other.

Warnock seemed undeterred by these challenges in his statement after being sworn in on January 20. “At this inflection point in our nation’s history, we must . . . act urgently to protect the dignity of work, expand access to affordable health care, and heal together to ensure Georgia’s hardworking families have what they need to thrive,” he said. “I’ve got my shoes on, and I’m ready to get [to] work in the Senate on behalf of Georgians and our country.”

—Heather Kerrigan

Following is a statement from the Democratic National Committee on January 6, 2021, on the election of Jon Ossoff and Raphael Warnock; and press releases from the offices of Senator Warnock and Senator Ossoff after being sworn in on January 20, 2021.



Democratic National Committee **Comments on Georgia Senate Victories**

January 6, 2021

DNC Chair Tom Perez released the following statement after Jon Ossoff and Raphael Warnock won their runoff Senate races in Georgia, flipping the U.S. Senate to Democratic control:

“Georgia followed the marching orders of the late Congressman John Lewis, and Democrats have flipped the Senate. Congratulations to Raphael Warnock, Jon Ossoff, and their teams, as well as the entire Georgia Democratic Party on these incredible victories. Thanks to hard work of countless organizers and leaders—from Stacey Abrams to Jonae Wartel and the entire coordinated campaign—Raphael Warnock will make history as Georgia’s first Black senator and Democrats will lead both houses of Congress. Now it’s time to bring our country together to get things done for the American people. It’s time to make progress instead of blocking it. It’s time to expand access to health care. It’s time to take bold action to end this pandemic, revive our economy, and expand opportunity for all Americans. United with the Senate and House, President-elect Joe Biden and Vice President-elect Kamala Harris can deliver the progress Americans deserve. Jon Ossoff and Raphael Warnock will be critical to this effort, and the DNC was proud to work with the Democratic Party of Georgia and many other partners to organize voters, support constituency outreach, protect access to the ballot, and turn these seats blue.”

Jen O'Malley Dillon, Biden for President Campaign Manager, released the following statement:

“Democrats have shown once again that we can do hard things. Georgia voters sent a clear message last night: they want us to work together and deliver results on the crises we face—from COVID to voting rights, climate change, racial justice, and much more. Joe Biden’s campaign, alongside Chair Perez and the DNC, are proud to have joined with Georgia leaders like Stacey Abrams and Keisha Lance Bottoms, and organizations like the DSCC, the Georgia Democratic Party, and so many more to help support this victory. From organizing, to voter protection to constituency outreach, Democrats made critical investments in Georgia, did the work, and it paid off. On January 20, Joe Biden and Kamala Harris will go to work with the House and the Senate to bring our country together, heal the division, and usher in a new era of progress for the American people.”

SOURCE: Democratic National Committee. “DNC on Democrats Winning in Georgia and Flipping the Senate.” January 6, 2021. <https://democrats.org/news/dnc-on-democrats-winning-in-georgia-and-flipping-the-senate>.



Senator Warnock Takes Oath of Office

January 20, 2021

Today, Senator Reverend Raphael Warnock was sworn into the United States Senate, becoming the first Black Senator to serve from Georgia and the 11th Black Senator in U.S. history.

“This is a great day for Georgia and for our country. Today, my father, a veteran and son of south Georgia, would have been 104 years old. Today, our country’s first Black, woman Vice President swore in his son, Georgia’s first Black United States Senator. That this is even possible is a testament to the promise of our democracy and the covenant we share with one another as Americans. At the same time, our nation faces multiple crises brought into sharper focus by a once in a century pandemic. Congress must get to work immediately to overcome the challenges impacting the lives and livelihoods of Georgians, and people across the country.

“I’m ready to start working in earnest with President Biden and Vice President Harris, along with the rest of Georgia’s congressional delegation, to deliver fair, swift and equitable solutions for Georgia to get beyond this public health crisis—including strengthening vaccine distribution and testing efforts, delivering additional direct payments and assistance for Georgia families, workers and small businesses, and more. At this inflection point in our nation’s history, we must also act urgently to protect the dignity of work, expand access to affordable health care, and heal together to ensure Georgia’s hardworking families have what they need to thrive.

“I’ve got my shoes on, and I’m ready to get [to] work in the Senate on behalf of Georgians and our country.”

Vice President Kamala Harris administered the oath to Reverend Warnock following the inauguration. Reverend Warnock was accompanied by his sister, Ms. Valencia Warnock-King, for the ceremony. During the oath Reverend Warnock used the Bible given to him by the congregation of Ebenezer Baptist Church when he became Senior Pastor.

SOURCE: Office of Senator Raphael Warnock. "Senator Reverend Warnock Takes Oath of Office, Urges Immediate Action to Address Pandemic and Deliver Solutions for Georgians." January 20, 2021. <https://www.warnock.senate.gov/newsroom/press-releases/senator-reverend-warnock-takes-oath-of-office-urges-immediate-action-to-address-pandemic-and-deliver-solutions-for-georgians>.



Senator Ossoff Sworn Into U.S. Senate

January 20, 2021

Earlier today, Georgia's Senior United States Senator Jon Ossoff (D-Ga.) was officially sworn in to the U.S. Senate by Vice President of the United States Kamala Harris.

Ossoff's election and swearing in marks a historic generational shift in the Senate. Ossoff takes office as the first Senator born in the 1980's, the youngest Senator in Georgia history, the youngest Democratic Senator since then-U.S. Senator Joe Biden, and the first Jewish person to serve the state of Georgia in the U.S. Senate.

Ossoff also becomes the first Democrat sworn in to a full term in the U.S. Senate from Georgia since 1996.

Ossoff, who was mentored by civil rights legend Congressman John Lewis for seventeen years, enters office after a campaign that focused on the urgent need for civil rights legislation to secure equal justice for all Americans, regardless of race or class.

Congressman Lewis instilled in Ossoff the conviction to fight for justice and human rights, as well as a deep commitment to the historic bond between Jewish people and the Black community—an alliance symbolized and invigorated by the joint victories of Sens.-Elect Ossoff and Warnock.

Ossoff was sworn in using a book of Hebrew scripture once owned by Rabbi Jacob Rothschild, who led Atlanta's historic synagogue The Temple from 1946 to 1973. The book is on loan to Senator Ossoff from Rabbi Rothschild's family.

Rabbi Rothschild was an outspoken civil rights activist and ally of Dr. King. Rabbi Rothschild's outspoken opposition to segregation and Jim Crow led to the bombing of The Temple by white supremacists in 1958.

Ossoff was escorted into the Senate for the swearing-in ceremony by Senator Cory Booker (D-NJ), one of the Senate's most ardent champions for civil rights and criminal justice reform.

SOURCE: Office of Senator Jon Ossoff. "PHOTOS & VIDEO: U.S. Senator Jon Ossoff Sworn In to U.S. Senate." January 20, 2021. <https://www.ossoff.senate.gov/press-releases/photos-video-u-s-senator-jon-ossoff-sworn-in-to-u-s-senate>.

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Federal Officials Respond to Election Certification and Capitol Riot

JANUARY 6, JANUARY 7, AND JANUARY 8, 2021

President Donald Trump's ongoing falsehoods about the integrity of the 2020 presidential election came to a head on January 6, 2021, when Congress met to certify the results. What is largely a ceremonial role quickly turned into chaos as Trump supporters breached the U.S. Capitol and stormed the halls of Congress, forcing members to flee the chamber. It took hours for Capitol Police, the National Guard, and law enforcement from neighboring jurisdictions to restore order and remove the rioters from the building; five people died in the chaos, including a Trump supporter who was shot by police. The president did little to try to stave off the violence, which led to near immediate fallout. Multiple members of his cabinet resigned, Twitter banned Trump's account, and the House voted to impeach the president for a second time and establish a select committee to investigate the attack. The violence on January 6 cast a shadow over Joseph R. Biden's inauguration on January 20, when the traditional peaceful transfer of power was overseen by thousands of troops and police.

TRUMP HOLDS RALLY, ENCOURAGES PENCE TO OVERTURN ELECTION RESULTS

Even before Election Day, Trump told his supporters that “the only way we’re going to lose this election is if the election is rigged.” The president and his inner circle repeated this claim consistently, even encouraging supporters to act as uncertified “poll watchers” to make sure the vote was handled appropriately across the country. On November 7, when most major media outlets called the election for Biden, Trump refused to give in. His team filed court challenges in battleground states, pressured the Republican secretary of state in Georgia to “find” votes, and began identifying senators and representatives who would challenge the January 6, 2021, Electoral College certification. Typically, during the certification, the vice president reads the official result of the outcome in each state—as determined by the Electoral College—and members have a chance to rise in opposition to and then debate that state's results. In most years, this is a largely ceremonial role, with few challenges.

In the weeks before the certification, Trump took to Twitter to air his grievances and encourage his supporters to gather in Washington, D.C., on January 6 to show their support for the president. “Statistically impossible to have lost the 2020 Election. Big protest in D.C. on January 6th. Be there, will be wild!” Trump tweeted on December 19. One week later, he wrote, “The ‘Justice’ Department and the FBI have done nothing about the 2020 Presidential Election Voter Fraud, the biggest SCAM in our nation's history, despite overwhelming evidence. They should be ashamed. History will remember. Never give up. See everyone in D.C. on January 6th.”

Thousands of Trump's supporters listened and gathered on the Ellipse for what they called the Save America Rally. Speakers included multiple members of Trump's inner circle, such as his personal lawyer Rudy Giuliani, who told the crowd, "Let's have trial by combat." When Trump took the stage, he told supporters that they were gathered there "for one very, very basic and simple reason: to save our democracy." According to Trump, his supporters were there to "demand that Congress do the right thing" and to "peacefully and patriotically make your voices heard." He added, "Today we will see whether Republicans stand strong for integrity of our elections, but whether or not they stand strong for our country," which according to Trump "has been under siege for a long time."

Multiple times during his speech Trump relied on combative language and metaphors to make his point. "You have to get your people to fight," "Republicans are constantly fighting like a boxer with his hands tied behind his back," and "We're going to have to fight much harder," Trump said. Toward the end of his remarks, the president encouraged his supporters to head to the Capitol. "We're going to walk down to the Capitol, and we're going to cheer on our brave senators, and congressmen and women. We're probably not going to be cheering so much for some of them, because you'll never take back our country with weakness. You have to show strength, and you have to be strong." At that point, some of the crowd broke away from the stage and began walking toward the Capitol building, waving Trump and Confederate flags. When they arrived at the West Front, they far outnumbered the Capitol Police officers guarding the building as Congress convened to perform its election certification duty.

CONGRESS CONVENES TO CERTIFY PRESIDENTIAL ELECTION RESULTS

In Congress, the day began with some question about how Vice President Mike Pence would conduct the proceedings. Trump had recently tweeted that Pence "has the power to reject fraudulently chosen electors." In a later statement, he said, "Our Vice President has several options under the U.S. Constitution. He can decertify the results or send them back to the states for change and certification." However, legal scholars disagreed, pointing to the Constitution and the Electoral Count Act of 1887 that outline the vice president's role as simply to preside over the proceedings and ensure that all results were opened and read aloud. A federal judge also rejected an attempt to give the vice president the power to stop the certification, dismissing for lack of standing a lawsuit filed by Rep. Louie Gohmert, R-Texas, and some Arizona Republicans who would have allowed Pence to decide which electoral votes were valid.

Before Congress convened on January 6, Pence put a stop to any speculation over what he might do. In a letter to members, Pence said, "It is my considered judgment that my oath to support and defend the Constitution constrains me from claiming unilateral authority to determine which electoral votes should be counted and which should not." He added, "When the Joint Session of Congress convenes today, I will do my duty to see to it that we open the certificates of the Electors of the several states, we hear objections raised by Senators and Representatives, and we count the votes of the Electoral College for President and Vice President in a manner consistent with our Constitution, laws, and history." According to reporters Bob Woodward and Robert Costa, it was former vice president Dan Quayle who convinced Pence in December that he had no grounds on which to delay the certification.

Pence gavelled in a joint session of the House and Senate at noon on January 6, 2021, and shortly thereafter began reading the names of states in alphabetical order and their

Electoral College vote tally. Any member of the House or Senate can rise to object to the result, but any objection must be presented in writing and supported by one member of each chamber; after a valid objection is submitted, the House and Senate recess to their respective chambers to debate and vote on the objection. To overturn an Electoral College tally, the majority in both chambers must vote to uphold the challenge. The first objection was raised in response to the awarding of Arizona's eleven electoral votes to Biden. Representative Paul Gosar, R-Ariz., filed the challenge and was joined by eight Republican senators and more than fifty Republican representatives.

When the two hours of debate opened in the Senate, Majority Leader Mitch McConnell, R-Ky., was the first to rise to speak. "We are debating a step that has never been taken in American history: whether Congress should overrule the voters and overturn a Presidential election. I have served 36 years in the Senate. This will be the most important vote I have ever cast," McConnell said. He spoke briefly of the president's unsuccessful attempts to overturn the election results in the courts, and noted that the 2020 vote, like others before it, contained some instances of irregularity. Yet, he said, "[w]e cannot simply declare ourselves a national board of elections on steroids. The voters, the courts, and the States have all spoken. They have all spoken. If we overrule them, it would damage our Republic forever."

Minority Leader Chuck Schumer, D-N.Y., was the next to take the floor. "It is a very sad comment on our times that merely accepting the results of an election is considered an act of political courage," he said. "As we speak, the eyes of the world are on this Chamber, questioning whether America is still the shining example of democracy, the shining city on the Hill . . . Sadly, a small band of Republican objectors may darken the view of our democracy today," Schumer continued. He encouraged his colleagues on both sides of the aisle to reject the objection to the Arizona results saying, "A larger group of Senators and House Members from both sides of the aisle can send a message, too; that democracy beats deep in the hearts of our citizens and our elected representatives." Senator Ted Cruz, R-Texas, followed Schumer, noting that 39 percent of Americans surveyed believed that the election was rigged. "You may not agree with that assessment, but it is, nonetheless, a reality for nearly half the country." Speaking directly to Republicans who intended to vote against the objection, Cruz asked, "What does it say to the nearly half the country that believes this election was rigged if we vote not even to consider the claims of illegality and fraud in this election?" Instead of setting aside these concerns, Cruz offered a different option, an electoral commission comprised of members of the House, Senate, and Supreme Court to examine claims of voter fraud. "Act in a bipartisan sense to say we will have a credible and fair tribunal, consider the claims, consider the facts, consider the evidence, and make a conclusive determination whether and to what extent this election complied with the Constitution and with Federal law," Cruz urged his colleagues.

A few speakers later, Senator James Lankford, R-Okla., took the floor. "The constitutional crisis in our country right now is that millions of Americans are being told to sit down and shut up. Their opinions matter," he said. Lankford voiced his support for the fifteen-member commission that Cruz proposed. "I have some colleagues who have said that a 10-day commission is not enough time, so they have counterproposed just ignoring the lingering questions. We need to do something." As Lankford finished that sentence, Vice President Pence was escorted off the Senate floor and replaced as chair by Senator Chuck Grassley, R-Iowa. "My challenge today is not about the good people of Arizona," Lankford continued, before Grassley interrupted, "The Senate will stand in recess subject to the call of the Chair." Lankford could then be heard being informed that "protesters are

in the building.” Confusion quickly ensued on the Senate floor, as members were alternately told to remain seated and ushered from the chamber.

PROTESTERS BREACH THE CAPITOL

Outside, Trump supporters sparred with Capitol Police, pushing past barriers, using flags to hit those who stood in their way, climbing the walls surrounding the building, and smashing through the doors and windows with police riot shields. “Due to an INTERNAL threat in the building, take shelter in the nearest office and stay quiet,” read an alert from Capitol Police. Officers outside deployed pepper spray, flash bangs, and tear gas, and attempted to club protesters passing through barriers, all while some were being called “traitors” by the protesters for doing their job. The doors to the House chamber were barricaded as the mob broke into the building. “This is a coup attempt,” tweeted Rep. Adam Kinzinger, R-Ill., as House members were informed that they might need to duck and cover. The House floor was quickly evacuated as the mob reached the Rotunda, and photos were widely shared in the media of members donning escape hoods as Capitol Police crouched with guns drawn, pointed at those banging on the doors to the chamber. Photographs and video footage coming out of the building from both members of the press and social media accounts showed Trump supporters walking around the Senate floor, rifling through papers on members’ desks, and sitting in the Senate well. Other protesters were pictured sitting in Speaker of the House Nancy Pelosi’s office and stealing things from her desk, and wandering through the halls, waving Trump flags and shouting, “Hang Mike Pence.” In one video, a D.C. police officer was seen being crushed into a door as protesters attempted to push it open; and in another, Capitol Police officer Eugene Goodman was seen leading an angry mob of Trump supporters away from the Senate chamber, where some members were still trapped.

As the siege continued and Capitol Police pleaded for backup, members tweeted their reactions in real time. “Those storming the Capitol need to stop NOW,” wrote Cruz, while Senator Marco Rubio, R-Fla., called on the president for help. “The men & women of law enforcement are under assault. It is crucial you help restore order by sending resources to assist the police and ask those doing this to stand down.” Representative Mike Gallagher, R-Wisc., told Trump to “Call it off! It’s over. The election is over.” While noting that “peaceful protest” is a right of all Americans, Pence tweeted that “[a]nyone involved must respect Law Enforcement officers and immediately leave the building.” At approximately 3:36 p.m. local time, word came from the White House that the National Guard and other federal law enforcement officers would respond to the Capitol; D.C., Maryland, and Virginia also sent assistance.

At around 5:40 p.m., the Sergeant-at-Arms declared that the Capitol had been secured. Rioters remained outside the building, in spite of a curfew order issued by D.C. mayor Muriel Bowser, and dozens of protesters were seen being removed from the building in handcuffs. Police announced that five people were killed during the insurrection: three protesters from medical emergencies outside the building, one protester was shot and killed by police as she tried to breach the speaker’s lobby, and one Capitol Police officer, Brian Sicknick, also died. (A medical examiner’s report determined later that it was not due to injuries sustained at the Capitol but rather a series of strokes.)

Throughout the afternoon and into the evening, President Trump did little to try to put a stop to the violence. As members of Congress hid, Trump took to his favorite platform to air his grievances. “Mike Pence didn’t have the courage to do what should have

been done to protect our Country and our Constitution, giving States a chance to certify a corrected set of facts, not the fraudulent or inaccurate ones which they were asked to previously certify. USA demands the truth!” he tweeted. As the mob broke through windows and marauded through the halls, looking for Pence and other members of Congress, the president tweeted again. “Please support our Capitol Police and Law Enforcement. They are truly on the side of our Country. Stay peaceful!” Shortly thereafter, he released a brief video statement continuing to allege that the election had been stolen but noting, “We have to have peace. So go home. We love you. You’re very special.” His final tweet of the day, after the building was secure, was, “These are the things and events that happen when a sacred landslide election victory is so unceremoniously & viciously stripped away,” concluding, “Remember this day forever!”

CONGRESS RECONVENES AND CERTIFIES BIDEN’S VICTORY

At 8:06 p.m., Pence called the Senate session back to order. “Today was a dark day in the history of the United States Capitol, but thanks to the swift efforts of U.S. Capitol Police, Federal, State, and local law enforcement, the violence was quelled, the Capitol is secured, and the people’s work continues.” Pence called out those who tried to stop the work of Congress, telling them that their violent actions would not prevail. “Violence never wins. Freedom wins. And this is still the People’s House,” he said adding, “Let’s get back to work.”

Both the House and Senate completed their debate of the Arizona objection and voted to reject it, allowing the results from that state to be certified. The next objection raised was in response to Georgia’s electoral results, but it did not have the written support of anyone in the Senate and was declared invalid. The same happened in response to an objection to Michigan’s and Nevada’s results. A challenge to the Pennsylvania count was moved to debate, because it had support from both the House and Senate. Both chambers rejected it, 92–7 in the Senate and 282–138 in the House. At just after 3:40 a.m., Congress certified Biden’s 306–232 victory. A statement from Trump followed shortly thereafter, noting that he “totally disagree[d] with the outcome of the election, and the facts bear me out, nevertheless there will be an orderly transition on January 20th.”

ADMINISTRATION OFFICIALS RESIGN, TWITTER BANS TRUMP

Democrats and Republicans alike were quick to criticize the president for what they saw as a failure to attempt to get his supporters to back down. Members of Trump’s cabinet were among the first to begin distancing themselves from the situation. On January 7, Secretary of Education Betsy DeVos submitted her letter of resignation, noting, “There is no mistaking the impact your rhetoric had on the situation, and it is the inflection point for me.” Secretary of Transportation Elaine Chao announced her resignation on Twitter on January 7, writing that the event “has deeply troubled me in a way that I simply cannot set aside.” Other high-profile resignations included Assistant Attorney General Eric Dreiband, Assistant Secretary at the Department of Health and Human Services Elinore McCance-Katz, Deputy White House Press Secretary Sarah Matthews, White House Council of Economic Advisers Acting Chair Tyler Goodspeed, Deputy Assistance Secretary at the Department of Commerce John Costello, Deputy National Security Adviser Matthew Pottinger, and former White House chief of staff and current special envoy to Northern Ireland Mick Mulvaney. The first lady’s chief of staff and social secretary, as well as five members of the National Security Council, also resigned.

On January 8, Twitter permanently suspended Trump's account. The decision followed multiple warnings from the company that the account, with 88 million followers, could be removed if Trump continued violating its terms of use. "After close review of recent Tweets from the @realDonaldTrump account and the context around them—specifically how they are being received and interpreted on and off Twitter—we have permanently suspended the account due to the risk of further incitement of violence," Twitter said in a statement. Twitter provided an analysis of its decision, noting that two of the president's tweets on January 8 were a violation of its Glorification of Violence policy, leading the platform to decide that Trump "should be immediately permanently suspended from the service."

The president responded in an official statement released by the White House, accusing Twitter of trying to silence him and his supporters. "Twitter has gone further and further in banning free speech, and tonight, Twitter employees have coordinated with the Democrats and the Radical Left in removing my account from their platform, to silence me—and YOU, the 75,000,000 great patriots who voted for me." The president stated that his team has been negotiating with other sites to provide a new platform where the president and his supporters could gather. "We will not be SILENCED!" he said, adding "Twitter is not about FREE SPEECH. They are all about promoting a Radical Left platform where some of the most vicious people in the world are allowed to speak freely."

Facebook and Instagram also banned Trump's accounts for a minimum of two weeks, citing the significant risk of giving the president a megaphone in the weeks between the armed insurrection at the Capitol and Biden's inauguration.

—Heather Kerrigan

Following is a January 6, 2021, statement from Vice President Mike Pence rejecting the assertion that he had the power to overturn the election results; speeches delivered on the floor of the Senate on January 6, 2021, by Majority Leader Mitch McConnell, R-Ky., Minority Leader Chuck Schumer, D-N.Y., Sen. Ted Cruz, R-Texas, Sen. James Lankford, R-Okla., and Pence; the text of President Donald Trump's remarks on January 7, 2021, in response to the insurrection at the Capitol; the January 7, 2021, letter from Education secretary Betsy DeVos, resigning her position; a tweet from Transportation secretary Elaine Chao on January 7, 2021, announcing her resignation; and Trump's statement on January 8, 2021, after his Twitter account was permanently suspended.



Vice President Pence Refuses to Overturn Election Results

January 6, 2021

Dear Colleague:

Today, for the 59th time in our Nation's history, Congress will convene in Joint Session to count the electoral votes for President of the United States. Under our Constitution, it will be my duty as Vice President and as President of the Senate to serve as the presiding officer.

After an election with significant allegations of voting irregularities and numerous instances of officials setting aside state election law, I share the concerns of millions of Americans about the integrity of this election. The American people choose the American President, and have every right under the law to demand free and fair elections and a full investigation of electoral misconduct. As presiding officer, I will do my duty to ensure that these concerns receive a fair and open hearing in the Congress of the United States. Objections will be heard, evidence will be presented, and the elected representatives of the American people will make their decision.

Our Founders created the Electoral College in 1787, and it first convened in 1789. With the advent of political parties, the Electoral College was amended in 1804 to provide that Electors vote separately for President and Vice President. Following a contentious election in 1876, with widespread allegations of fraud and malfeasance, Congress spent a decade establishing rules and procedures to govern the counting of electoral votes and the resolution of any objections.

During the 130 years since the Electoral Count Act was passed, Congress has, without exception, used these formal procedures to count the electoral votes every four years.

Given the controversy surrounding this year's election, some approach this year's quadrennial tradition with great expectation, and others with dismissive disdain. Some believe that as Vice President, I should be able to accept or reject electoral votes unilaterally. Others believe that electoral votes should never be challenged in a Joint Session of Congress.

After a careful study of our Constitution, our laws, and our history, I believe neither view is correct.

The President is the chief executive officer of the Federal Government under our Constitution, possessing immense power to impact the lives of the American people. The Presidency belongs to the American people, and to them alone. When disputes concerning a presidential election arise, under Federal law, it is the people's representatives who review the evidence and resolve disputes through a democratic process.

Our Founders were deeply skeptical of concentrations of power and created a Republic based on separation of powers and checks and balances under the Constitution of the United States.

Vesting the Vice President with unilateral authority to decide presidential contests would be entirely antithetical to that design. As a student of history who loves the Constitution and reveres its Framers, I do not believe that the Founders of our country intended to invest the Vice President with unilateral authority to decide which electoral votes should be counted during the Joint Session of Congress, and no Vice President in American history has ever asserted such authority. Instead, Vice Presidents presiding over Joint Sessions have uniformly followed the Electoral Count Act, conducting the proceedings in an orderly manner even where the count resulted in the defeat of their party or their own candidacy.

As Supreme Court Justice Joseph Bradley wrote following the contentious election of 1876, "the powers of the President of the Senate are merely ministerial . . . He is not invested with any authority for making any investigation outside of the Joint Meeting of the two Houses . . . [I]f any examination at all is to be gone into, or any judgment exercised in relation to the votes received, it must be performed and exercised by the two Houses." More recently, as the former U.S. Court of Appeals Judge J. Michael Luttig observed, "[t]he only responsibility and power of the Vice President under the Constitution is to faithfully count the Electoral College votes as they have been cast," adding "[t]he Constitution does not empower the Vice President to alter in any way the votes that have been cast, either by rejecting certain votes or otherwise."

It is my considered judgment that my oath to support and defend the Constitution constrains me from claiming unilateral authority to determine which electoral votes should be counted and which should not.

While my role as presiding officer is largely ceremonial, the role of the Congress is much different, and the Electoral Count Act of 1887 establishes a clear procedure to address election controversies when they arise during the count of the vote of the Electoral College. Given the voting irregularities that took place in our November elections and the disregard of state election statutes by some officials, I welcome the efforts of Senate and House members who have stepped forward to use their authority under the law to raise objections and present evidence.

As presiding officer, I will ensure that any objections that are sponsored by both a Representative and a Senator are given proper consideration, and that all facts supporting those objections are brought before the Congress and the American people. Those who suggest that raising objections under the Electoral Count Act is improper or undemocratic ignore more than 130 years of history, and fail to acknowledge that Democrats raised objections in Congress each of the last three times that a Republican candidate for President prevailed.

Today it will be my duty to preside when the Congress convenes in Joint Session to count the votes of the Electoral College, and I will do so to the best of my ability. I ask only that Representatives and Senators who will assemble before me approach this moment with the same sense of duty and an open mind, setting politics and personal interests aside, and do our part to faithfully discharge our duties under the Constitution. I also pray that we will do so with humility and faith, remembering the words of John Quincy Adams, who said, "Duty is ours; results are God's."

Four years ago, surrounded by my family, I took an oath to support and defend the Constitution, which ended with the words, "So help me God." Today I want to assure the American people that I will keep the oath I made to them, and I will keep the oath I made to Almighty God. When the Joint Session of Congress convenes today, I will do my duty to see to it that we open the certificates of the Electors of the several states, we hear objections raised by Senators and Representatives, and we count the votes of the Electoral College for President and Vice President in a manner consistent with our Constitution, laws, and history. So Help Me God.

Michael R. Pence
Vice President of the United States

SOURCE: Office of the Vice President. "Dear Colleague Letter." January 6, 2021.



Majority Leader McConnell Urges Colleagues to Respect Will of Voters

January 6, 2021

Mr. President, we are debating a step that has never been taken in American history: whether Congress should overrule the voters and overturn a Presidential election.

I have served 36 years in the Senate. This will be the most important vote I have ever cast.

President Trump claims the election was stolen. The assertions range from specific local allegations, to constitutional arguments, to sweeping conspiracy theories. I supported the President's right to use the legal system. Dozens of lawsuits received hearings in courtrooms all across our country, but over and over, courts rejected these claims, including all-star judges whom the President himself nominated.

Every election, we know, features some illegality and irregularity, and, of course, that is unacceptable.

I support strong State-led voting reforms. Last year's bizarre pandemic procedures must not become the new norm. But, my colleagues, nothing before us proves illegality anywhere near the massive scale—the massive scale that would have tipped the entire election, nor can public doubt alone justify a radical break when the doubt itself was incited without any evidence.

The Constitution gives us here in Congress a limited role. We cannot simply declare ourselves a national board of elections on steroids. The voters, the courts, and the States have all spoken. They have all spoken. If we overrule them, it would damage our Republic forever.

This election actually was not unusually close. Just in recent history, 1976, 2000, and 2004 were all closer than this one. The electoral college margin is almost identical to what it was in 2016. If this election were overturned by mere allegations from the losing side, our democracy would enter a death spiral. We would never see the whole Nation accept an election again. Every 4 years would be a scramble for power at any cost. The electoral college, which most of us on this side have been defending for years, would cease to exist, leaving many of our States with no real say at all in choosing a President.

The effects would go even beyond the elections themselves. Self-government, my colleagues, requires a shared commitment to the truth and a shared respect for the ground rules of our system. We cannot keep drifting apart into two separate tribes with a separate set of facts and separate realities with nothing in common except our hostility toward each other and mistrust for the few national institutions that we all still share.

Every time—every time in the last 30 years that Democrats have lost a Presidential race, they have tried a challenge just like this—after 2000, after 2004, and after 2016. After 2004, a Senator joined and forced the same debate. And, believe it or not, Democrats like Harry Reid, Dick Durbin, and Hillary Clinton praised—praised and applauded the stunt. Republicans condemned those baseless efforts back then, and we just spent 4 years condemning Democrats' shameful attacks on the validity of President Trump's own election. So there can be no double standard. The media that is outraged today spent 4 years aiding and abetting the Democrats' attacks on our institutions after they lost.

But we must not imitate and escalate what we repudiate. Our duty is to govern for the public good. The United States Senate has a higher calling than an endless spiral of partisan vengeance.

Congress will either overrule the voters, the States, and the courts for the first time ever or honor the people's decision. We will either guarantee Democrats' delegitimizing efforts after 2016 became a permanent new routine for both sides or declare that our Nation deserves a lot better than this. We will either hasten down a poisonous path where only the winners of elections actually accept the results or show we can still muster the patriotic courage that our forebears showed not only in victory but in defeat.

The Framers built the Senate to stop short-term passions from boiling over and melting the foundations of our Republic. So I believe protecting our constitutional order requires respecting the limits of our own power. It would be unfair and wrong to

disenfranchise American voters and overrule the courts and the States on this extraordinarily thin basis, and I will not pretend such a vote would be a harmless protest gesture while relying on others to do the right thing. I will vote to respect the people's decision and defend our system of government as we know it.

SOURCE: Senator Mitch McConnell. "Challenge to the Electoral College." January 6, 2021. *Congressional Record—Senate*. Vol. 167, No. 4. S14. <https://www.congress.gov/117/crec/2021/01/06/167/4/CREC-2021-01-06-senate.pdf>.



Sen. Schumer Opposes Electoral College Challenge

January 6, 2021

Mr. Vice President, as prescribed by the Constitution and the laws of the Nation, the purpose of this joint session is for tellers, appointed on a bipartisan basis by the two Houses, to read to the Congress the results of an election that has already happened. We are here to receive an announcement of a vote that has already been certified by every State in the Union and confirmed by the courts many times—many times over. We are here to watch the current Vice President open envelopes and receive the news of a verdict that has already been rendered. It is a solemn and august occasion, no doubt, but it is a formality.

The Congress does not determine the outcome of elections; the people do. The Congress is not endowed with the power to administer elections; our States are given that power.

By the end of the proceedings today, there will be confirmed once again something that is well known and well settled: The American people elected Joe Biden and KAMALA HARRIS to be the next President and Vice President of the United States. Yet a number of our colleagues have organized an effort to undermine and object to that free and fair election. They are in the minority. They will lose; they know that. They have no evidence of widespread voter fraud upon which to base their objections. That is because there is none. There is none, not brought before any of the courts successfully.

They know that President Trump and his allies have suffered a defeat in court after court across the country, losing no fewer than 62 legal challenges. And, I might add, many Republican-appointed judges—some appointed by President Trump—rendered those decisions.

They know—you all know—that Joe Biden and KAMALA HARRIS are going to be sworn in as President and Vice President of the United States on January 20, but they are going to object to the counting of the vote anyway, and in the process, they will embarrass themselves, they will embarrass their party, and worst of all, they will embarrass their country.

This insurrection was fortunately discouraged by the leadership of the majority party, but it was not quelled. It is a very sad comment on our times that merely accepting the results of an election is considered an act of political courage. Sadder and more dangerous still is the fact that an element of the Republican Party believes their political viability hinges on the endorsement of an attempted coup, that anyone—much less an elected official—would be willing to tarnish our democracy in order to burnish their personal political fortunes.

Over the course of the afternoon and however far into the evening this band of Republican objectors wants to take us, Senators of good will from both sides of the aisle will explain why these challenges must be dismissed. The Senators from States whose electoral votes are being challenged will explain how the allegations of fraud are baseless. And a substantial bipartisan majority must vote to put down these objections and defend the sanctity of our elections and indeed—and indeed—our great and grand democracy because that is what we are talking about today: the health of power democracy, this wonderful, beautiful, grand democracy where the peaceful passing of the torch is extolled by schoolchildren in the second grade but not by some here.

As we speak, half of our voters are being conditioned by the outgoing President to believe that when his party loses an election, the results must not be legitimate.

As we speak, the eyes of the world are on this Chamber, questioning whether America is still the shining example of democracy, the shining city on the Hill.

What message will we send today to our people, to the world that has so looked up to us for centuries? What message will we send to fledgling democracies who study our Constitution, mirror our laws and traditions in the hopes that they, too, can build a country ruled by the consent of the governed?

What message will we send to those countries where democratic values are under assault and look to us to see if those values are still worth fighting for?

What message will we send to every dark corner of the world where human rights are betrayed, elections are stolen, human dignity denied?

What will we show those people? Will we show those people that there is a better way to ensure liberty and opportunity of humankind?

Sadly, a small band of Republican objectors may darken the view of our democracy today, but a larger group of Senators and House Members from both sides of the aisle can send a message, too; that democracy beats deep in the hearts of our citizens and our elected representatives; that we are a country of laws and of not men; that our traditions are not so easily discarded, even by our President; that facts matter; that truth matters; that while democracy allows free speech and free expression, even if that expression is anti-democratic, there will always, always be—praise God—a far broader and stronger coalition ready to push back and defend everything we hold dear.

We can send that message today by voting in large and overwhelming numbers to defeat these objections. My colleagues, we each swore an oath just 3 days ago that we would defend and support the Constitution of the United States against all enemies, foreign and domestic; that we would bear true faith and allegiance to the same.

We swore that we took this obligation freely, without any mental reservation or purpose of evasion, and that we could well and faithfully discharge the duties of the office we were about to enter, so help us God.

The precise words of that oath were shortly written after the Civil War, when the idea of true faith and allegiance to this country and its Constitution took on enormous meaning. Let those words ring in the ears of every Senator today. Let us do our duty to support and defend the Constitution of the United States, so help us God.

SOURCE: Senator Chuck Schumer. "Challenge to the Electoral College." January 6, 2021. *Congressional Record—Senate*. Vol. 167, No. 4. S14–15. <https://www.congress.gov/117/crec/2021/01/06/167/4/CREC-2021-01-06-senate.pdf>.



Sen. Cruz Calls for Independent Commission to Review Fraud Claims

January 6, 2021

Mr. President, we gather together at a moment of great division, at a moment of great passion. We have seen and, no doubt, will continue to see a great deal of moralizing from both sides of the aisle, but I would urge to both sides perhaps a bit less certitude and a bit more recognition that we are gathered at a time when democracy is in crisis.

Recent polling shows that 39 percent of Americans believe the election that just occurred “was rigged.” You may not agree with that assessment, but it is, nonetheless, a reality for nearly half the country.

I would note it is not just Republicans who believe that. Thirty-one percent of Independents agree with that statement. Seventeen percent of Democrats believe the election was rigged. Even if you do not share that conviction, it is the responsibility, I believe, of this office to acknowledge that is a profound threat to this country and to the legitimacy of any administrations that will come in the future.

I want to take a moment to speak to my Democratic colleagues. I understand. Your guy is winning right now. If Democrats vote as a bloc, Joe Biden will almost certainly be certified as the next President of the United States.

I want to speak to the Republicans who are considering voting against these objections. I understand your concerns, but I urge you to pause and think: What does it say to the nearly half the country that believes this election was rigged if we vote not even to consider the claims of illegality and fraud in this election?

And I believe there is a better way. The leaders just spoke about setting aside the election. Let me be clear. I am not arguing for setting aside the result of this election. All of us are faced with two choices, both of which are lousy. One choice is vote against the objection, and tens of millions of Americans will see a vote against the objection as a statement that voter fraud doesn’t matter, isn’t real, and shouldn’t be taken seriously. And a great many of us don’t believe that.

On the other hand, most, if not all, of us believe we should not set aside the results of an election just because our candidate may not have prevailed. So I endeavored to look for door No. 3, a third option, and for that I looked to history, to the precedent of the 1876 election, the Hayes-Tilden election, where this Congress appointed an electoral commission to examine claims of voter fraud.

Five House Members, five Senators, five Supreme Court Justices examined the evidence and rendered a judgment. What I would urge of this body is that we do the same; that we appoint an electoral commission to conduct a 10-day emergency audit, consider the evidence, and resolve the claims.

For those in the Democratic aisle who say there is no evidence, they have been rejected, then you should rest in comfort. If that is the case, an electoral commission would reject those claims.

But for those who respect the voters, simply telling the voters, “Go jump in a lake; the fact that you have deep concerns is of no moment to us,” that jeopardizes, I believe, the legitimacy of this and subsequent elections.

The Constitution gives to Congress the responsibility this day to count the votes. The Framers knew what they were doing when they gave responsibilities to Congress. We have a responsibility, and I would urge that we follow the precedent of 1877. The Electoral Count Act explicitly allows objections such as this one for votes that were not regularly given.

Let me be clear. This objection is for the State of Arizona, but it is broader than that. It is an objection for all six of the contested States to have a credible, objective, impartial body hear the evidence and make a conclusive determination. That would benefit both sides. That would improve the legitimacy of this election.

So let me urge my colleagues: All of us take our responsibility seriously. I would urge my colleagues: Don't take, perhaps, the easy path, but, instead, act together. Astonish the viewers and act in a bipartisan sense to say we will have a credible and fair tribunal, consider the claims, consider the facts, consider the evidence, and make a conclusive determination whether and to what extent this election complied with the Constitution and with Federal law.

SOURCE: Senator Ted Cruz. "Challenge to the Electoral College." January 6, 2021. *Congressional Record—Senate*. Vol. 167, No. 4. S15. <https://www.congress.gov/117/crec/2021/01/06/167/4/CREC-2021-01-06-senate.pdf>.



Sen. Lankford *Interrupted by Protesters*

January 6, 2021

Mr. President, in America, we settle our differences in elections. What happens if you don't trust the election count or you are concerned that so many courts denied or dismissed cases within hours after they were given thousands of pages of evidence?

The reason we have a Congress to settle our Nation's divisions and the rules of the Senate make sure that every opinion in the Nation is heard is so issues like this can be addressed.

The constitutional crisis in our country right now is that millions of Americans are being told to sit down and shut up. Their opinions matter.

During the electoral challenge on January 6, 2005, Senator Ted Kennedy stood on this floor and said this. He said:

I commend the many thousands of citizens in Massachusetts and other States who insisted that treating today's electoral vote count in Congress as a meaningless ritual would be an insult to our democracy unless we register our own protest against the obviously-flawed voting process that took place in so many States. We are hopeful that this major issue that goes to the heart of our democracy is now firmly implanted on the agenda for effective action by . . . Congress.

I agree. The U.S. Constitution does not allow me to assign different electors to a State, nor should it. The U.S. Constitution does not give the option to the Vice President of the

United States to just unilaterally decide which States are in and out, and it should not. Each State decides its electors through its people.

A small group of Senators, including myself, have demanded that we not ignore the questions that millions of people are asking in our Nation, so we have proposed a constitutional solution. Pause the count. Get more facts to the States before January the 20th. We proposed a 15-member commission, just like what was done after the failed election of 1876. We are encouraging people to spend 10 days going through all the issues so States can have one last opportunity to address any challenges. Then the States, as the Constitution directs, would make the final decision on their electors.

I have some colleagues who have said that a 10-day commission is not enough time, so they have counterproposed just ignoring the lingering questions.

We need to do something.

SOURCE: Senator James Lankford. "Challenge to the Electoral College." January 6, 2021. *Congressional Record—Senate*. Vol. 167, No. 4. S17–18. <https://www.congress.gov/117/crec/2021/01/06/167/4/CREC-2021-01-06-senate.pdf>.



Vice President Pence Reconvenes Senate After Insurrection

January 6, 2021

The Vice President, as President of the Senate, would like to give a brief statement with the indulgence of the Senate.

Today was a dark day in the history of the United States Capitol, but thanks to the swift efforts of U.S. Capitol Police, Federal, State, and local law enforcement, the violence was quelled, the Capitol is secured, and the people's work continues.

We condemn the violence that took place here in the strongest possible terms. We grieve the loss of life that took place in these hallowed Halls, as well as the injuries suffered by those who defended our Capitol today. And we will always be grateful to the men and women who stayed at their posts to defend this historic place.

To those who wreaked havoc in our Capitol today, you did not win. Violence never wins. Freedom wins. And this is still the People's House.

As we reconvene in this Chamber, the world will again witness the resilience and strength of our democracy, for even in the wake of unprecedented violence and vandalism at this Capitol, the elected representatives of the people of the United States have assembled again on the very same day to support and defend the Constitution of the United States.

May God bless the lost, the injured, and the heroes forged on this day. May God bless all who serve here and those who protect this place. And may God bless the United States of America.

Let's get back to work.

SOURCE: Vice President Mike Pence. "Recess Subject to the Call of the Chair." January 6, 2021. *Congressional Record—Senate*. Vol. 167, No. 4. S18. <https://www.congress.gov/117/crec/2021/01/06/167/4/CREC-2021-01-06-senate.pdf>.



President Trump Responds to Events at the Capitol

January 7, 2021

I would like to begin by addressing the heinous attack on the United States Capitol. Like all Americans, I am outraged by the violence, lawlessness, and mayhem. I immediately deployed the National Guard and Federal law enforcement to secure the building and expel the intruders. America is and must always be a nation of law and order. The demonstrators who infiltrated the Capitol have defiled the seat of American democracy. To those who engage in the acts of violence and destruction, you do not represent our country. And to those who broke the law, you will pay.

We have just been through an intense election, and emotions are high. But now tempers must be cooled and calm restored. We must get on with the business of America. My campaign vigorously pursued every legal avenue to contest the election results. My only goal was to ensure the integrity of the vote. In so doing, I was fighting to defend American democracy. I continue to strongly believe that we must reform our election laws to verify the identity and eligibility of all voters and to ensure faith and confidence in all future elections.

Now Congress has certified the results. A new administration will be inaugurated on January 20th. My focus now turns to ensuring a smooth, orderly, and seamless transition of power. This moment calls for healing and reconciliation. Twenty-twenty has been a challenging time for our people. A menacing pandemic has upended the lives of our citizens, isolated millions in their homes, damaged our economy, and claimed countless lives. Defeating this pandemic and rebuilding the greatest economy on earth will require all of us working together. It will require a renewed emphasis on the civic values of patriotism, faith, charity, community, and family. We must revitalize the sacred bonds of love and loyalty that bind us together as one national family.

To the citizens of our country, serving as your President has been the honor of my lifetime. And to all of my wonderful supporters, I know you are disappointed, but I also want you to know that our incredible journey is only just beginning.

Thank you, God bless you, and God bless America.

SOURCE: Executive Office of the President. "Videotaped Remarks on the Attack on the United States Capitol, the Certification of the Electoral College Results, and the Transition to a New Administration." January 7, 2021. *Compilation of Presidential Documents 2021*, no. 00007 (January 7, 2021). <https://www.govinfo.gov/content/pkg/DCPD-202100007/pdf/DCPD-202100007.pdf>.



Secretary DeVos Submits Resignation

January 7, 2021

President Donald J. Trump
The White House
Washington, DC 20500

Dear Mr. President:

For more than thirty years, I have fought on behalf of America's students to expand the options they have to pursue a world-class education. As you know, too many of them are denied an equal opportunity to a high-quality education simply because of where they grow up or how much money their family makes. You rightly have called this one of the most significant civil rights issues of our time.

Leading the U.S. Department of Education has given me an exceptional opportunity to advocate on behalf of the forgotten students the traditional system leaves behind. We have achieved much.

We have sparked a national conversation about putting students and parents in charge of education, leading to expanded school choice and education freedom in many states. We have restored the proper federal role by returning power to states, communities, educators, and parents. We have returned due process to our nation's schools and defended the First Amendment rights of students and teachers. We have dramatically improved the way students interact with Federal Student Aid. We have lifted up students by restoring year-round Pell, expanding Second Chance Pell, delivering unprecedented opportunities for students at HBCUs, and so much more.

Finally, Mr. President, I know with certainty that history will show we were correct in our repeated urging of and support for schools reopening this year and getting all of America's students back to learning. This remains the greatest challenge our nation's students face, particularly students of color and students with disabilities. Millions are being denied meaningful access to education right now, in no small part because of the union bosses who control so much of the traditional system.

We should be highlighting and celebrating your Administration's many accomplishments on behalf of the American people. Instead, we are left to clean up the mess caused by violent protestors overrunning the U.S. Capitol in an attempt to undermine the people's business. That behavior was unconscionable for our country. There is no mistaking the impact your rhetoric had on the situation, and it is the inflection point for me.

Impressionable children are watching all of this, and they are learning from us. I believe we each have a moral obligation to exercise good judgement and model the behavior we hope they would emulate. They must know from us that America is greater than what transpired yesterday. To that end, today I resign from my position, effective Friday, January 8, in support of the oath I took to our Constitution, our people, and our freedoms.

Holding this position has been the honor of a lifetime, and I will be forever grateful for the opportunity to serve America and her students.

Sincerely,
Betsy DeVos

SOURCE: Secretary of Education. "Letter to President Donald J. Trump." January 7, 2021.



Transportation Secretary Chao Resigns

January 7, 2021

It has been the honor of a lifetime to serve the U.S. Department of Transportation.

Dear Department of Transportation colleagues:

Yesterday, our country experienced a traumatic and entirely avoidable event as supporters of the President stormed the Capitol building following a rally he addressed. As I'm sure is the case with many of you, it has deeply troubled me in a way that I simply cannot set aside.

I am tremendously proud of the many accomplishments we were able to achieve together for our country and I will never forget the commitment you have for this Department and the United States of America. I am hopeful that many of you will carry forward our vision to improve the lives of Americans through this Department and beyond.

Today, I am announcing my resignation as U.S. Secretary of Transportation, to take effect on Monday, January 11, 2020. We will help my announced successor Mayor Pete Buttigieg, with taking on the responsibility of running this wonderful department. With all good wishes to each one of you.

Sincerely,
Elaine

SOURCE: Secretary Elaine Chao. Twitter post (@SecElaineChao). January 7, 2021. <https://twitter.com/SecElaineChao/status/1347250653802983431>.



President Trump Response to Twitter Account Suspension

January 8, 2021

As I have been saying for a long time, Twitter has gone further and further in banning free speech, and tonight, Twitter employees have coordinated with the Democrats and the Radical Left in removing my account from their platform, to silence me—and YOU, the 75,000,000 great patriots who voted for me. Twitter may be a private company, but without the Government's gift of section 230 they would not exist for long.

I predicted this would happen. We have been negotiating with various other sites and will have a big announcement soon, while we also look at the possibilities of building out our own platform in the near future. We will not be SILENCED!

Twitter is not about FREE SPEECH. They are all about promoting a Radical Left platform where some of the most vicious people in the world are allowed to speak freely.
STAY TUNED!

SOURCE: Executive Office of the President. "Statement on the Suspension of the President's Personal Twitter Account." January 8, 2021. *Compilation of Presidential Documents* 2021, no. 000008 (January 8, 2021). <https://www.govinfo.gov/content/pkg/DCPD-202100008/pdf/DCPD-202100008.pdf>.

OTHER HISTORIC DOCUMENTS OF INTEREST

FROM THIS VOLUME

- President Trump Impeached a Second Time, p. 48
- Trump Gives Farewell Address; Biden Sworn in as President of the United States, p. 80
- January 6 Panel Holds First Hearings and Issues Subpoenas, p. 546

FROM PREVIOUS *HISTORIC DOCUMENTS*

- Biden Calls for Unity in Acceptance Speech; Trump Rejects Election Outcome Alleging Fraud, 2020, p. 629
- Courts Reject Trump Election Challenges, 2020, p. 698

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Continued Global Response to the COVID-19 Pandemic

JANUARY 11, JANUARY 21, FEBRUARY 24, MARCH 10,
MARCH 17, APRIL 8, JUNE 10, AND JUNE 13, 2021

Emergency authorization of several COVID-19 vaccines in late 2020 sparked hope across the globe that an end to the pandemic was in sight. However, a host of challenges—from supply shortages and logistics issues to concerns about vaccine safety and side effects—resulted in a slow vaccine rollout in most countries at the start of 2021. Limited vaccine supply meant wealthier governments had to prioritize which segments of their populations could receive shots first, while lower income countries struggled to obtain doses. Meanwhile, the COVID-19 virus continued mutating and developing new variants, some of which were more transmissible than the original strain and raised questions about vaccine efficacy.

SLUGGISH START TO GLOBAL VACCINE ROLLOUT

The excitement generated by governments' authorization of COVID-19 vaccines at the end of 2020 was soon tempered by the slow distribution of doses worldwide. Some smaller countries quickly vaccinated large portions of their eligible population, as in Israel, where roughly 50 percent of people aged sixteen and older were vaccinated by the end of February 2021. But most countries faced a variety of obstacles to their vaccine rollouts.

Some of these challenges were caused by supply chain issues and a lack of the raw materials necessary to expedite vaccine production. The Pfizer-BioNTech vaccine, for example, relies on a specific lipid nanoparticle that was only produced in small quantities before the pandemic. Shortages of glass vials, rubber stoppers, and preservatives also hampered production, particularly because these same supplies were still needed to produce other types of vaccines and medications. In some cases, drug companies had to create new machines to manufacture doses and retrofit their factories; in other instances, companies had to build new facilities to expand production capacity. Additionally, the reliance on a few candidates exacerbated supply chain challenges by driving up demand for materials and supplies specific to those vaccines. (At the time of writing, most of the world's COVID-19 protection was provided by just seven vaccines; however, the Oxford-AstraZeneca and Pfizer-BioNTech vaccines are authorized and in use in the greatest number of countries—176 and 132, respectively.)

Amid these challenges, complaints surfaced that large drug companies were ignoring calls from smaller companies and other organizations to share technology and release their patents so that more entities could participate in vaccine production, thereby boosting global supply. The big companies, these complaints alleged, were putting their interests first, to keep a monopoly on vaccine production and protect what they viewed as a foundation for future drug development. One producer, Moderna, stated that it would not

pursue patent infringement cases against anyone making COVID-19 vaccines, and some companies have sought partners to fill and ship vaccine vials, but none have so far participated in the type of knowledge-sharing would-be partners have urged.

As a result, governments were not able to deliver their promised doses. In the United States, President Donald Trump initially pledged to make 300 million doses available throughout the country by the beginning of 2021, but later lowered this estimate to 40 million. According to the U.S. Government Accountability Office, only about 12.4 million doses had been shipped as of December 30, 2020. Such shortfalls created a scarcity of vaccine appointments in countries that were able to obtain vaccines, with some reports indicating that the first eligible populations—generally those over age sixty-five—were spending hours on the phone or online to try to schedule their first dose or were even paying other people to help them find appointments.

COVAX FACILITY ADVOCATES VACCINE EQUITY

The slow vaccine rollout was also partly caused by wealthier countries buying up available doses, reducing the potential supply for lower-income countries. The COVAX Facility, created in the spring of 2020 by partners including the World Health Organization (WHO) and Gavi, the Vaccine Alliance, continued to push for equitable vaccine access for every country, regardless of economic status. That work included securing funding and other commitments of support from the private sector and philanthropic organizations, as well as wealthier nations. COVAX also collaborated with governments and other partners to prepare for vaccine distribution, including national vaccination plan development, stockpiling supplies such as syringes and disposal containers, and supporting cold chain infrastructure. (Receiving countries must be able to store the vaccines at very cold temperatures to prevent the doses from spoiling.)

Speaking to reporters on January 11, WHO director-general Tedros Ghebreyesus marked the one-year anniversary of the pandemic's first fatality with a call for vaccine equity. "Saving lives, livelihoods and economies depends on a global agreement to avoid vaccine nationalism," he said, urging a "collective commitment" within the next 100 days to ensure that "vaccination for health workers and those at high-risk in all countries are underway." On February 24, COVAX announced that Ghana was the first country outside of India to obtain vaccine doses through the initiative, receiving 600,000 doses of the Oxford-AstraZeneca vaccine. COVAX promised it was the first in a series of deliveries. "Over the coming weeks, COVAX must deliver vaccines to all participating economies to ensure that those most at risk are protected, wherever they live," said Dr. Seth Berkley, chief executive officer of Gavi. "We need governments and businesses now to recommit their support for COVAX and help us defeat this virus as quickly as possible."

Just over one month later, COVAX reported it had delivered more than 38 million vaccine doses to over 100 economies, including sixty-one of the ninety-two lower income countries that are receiving vaccines through the Gavi COVAX Advance Market Commitment, or AMC. (The AMC effectively provides a mechanism through which donors can contribute funds to buy vaccines for lower-income countries.) Celebrating the news as a "significant milestone," Dr. Richard Hatchett, chief executive officer of the Coalition for Epidemic Preparedness Innovations, another COVAX partner, emphasized that "global access to vaccines is fundamentally important to reduce the prevalence of the disease, slow down viral mutation, and hasten the end of the pandemic."

As COVAX ramped up distribution efforts, calls grew for the United States to clarify its intended role in the facility. The Trump administration declined to participate in COVAX, making the United States one of the few countries to do so, but incoming president Joseph R. Biden declared his intent to join the facility on January 21. On May 17, Biden announced that the United States would share 80 million vaccine doses worldwide, with about 75 percent of them distributed through COVAX. (Biden pledged to deliver the doses by the end of June, although the administration revised this stance to clarify that the doses would simply be allocated by then.) This was followed by an announcement on June 10 that the United States would buy an additional 500 million doses of the Pfizer-BioNTech vaccine to donate to lower income countries. “This is about our responsibility—our humanitarian obligation to save as many lives as we can—and our responsibility to our values,” Biden said. He added that shipments would begin in August, with a goal of distributing 200 million doses by the end of 2021; the remaining doses would be delivered in the first half of 2022. According to the U.S. State Department, as of October 3, the United States had shipped nearly 177 million doses to more than 100 countries.

Biden’s June announcement preceded a new commitment from leaders of the Group of Seven (G7), which includes the United States, to share at least 870 million vaccine doses internationally. The G7 pledged to deliver at least half of those doses by the end of 2021 “in support of global equitable access and to help end the acute phase of the pandemic.” Gavi’s Dr. Berkely characterized the commitment as “an important moment of global solidarity and a critical milestone in the push to ensure those most at risk, everywhere are protected.”

COVAX pledged to deliver 2 billion doses of COVID-19 vaccines by the end of 2021. As of December 30, 2021, COVAX had shipped more than 907 million doses to 144 countries.

SIDE EFFECTS RAISE CONCERNS ABOUT VACCINE SAFETY

Even as governments sought sufficient vaccine supplies, they faced a variety of concerns about the vaccines’ safety. In mid-March, a wave of countries began suspending use of the Oxford-AstraZeneca vaccine following reports that a rare blood disorder caused clots in some people who had received the shot. Denmark, Germany, France, Italy, Spain, Thailand, Bulgaria, and the Democratic Republic of the Congo were among the countries who called for a review of the vaccine data before inoculations could resume. AstraZeneca denied there was evidence that its vaccine caused an increased risk of blood clots and noted that patients receiving other COVID-19 vaccines had a similar rate of clots. Out of 17 million vaccinated people across the European Union and the United Kingdom, the company reported fifteen instances of deep vein thrombosis (blood clots in legs) and twenty-two cases of pulmonary embolism (blood clot in the lungs).

This was not the first time AstraZeneca faced questions about potential vaccine side effects. In July 2020, the company stopped clinical trials after a female participant developed inflammation of her spinal cord, which can cause paralysis and other serious problems. The company later determined she had an undiagnosed case of multiple sclerosis, and trials resumed. Trials paused again in September 2020 after another participant developed the same condition. AstraZeneca’s safety reviews ultimately concluded both cases were “unlikely to be associated with the vaccine” or that there was “insufficient evidence” to make a determination.

Regarding the blood clots, both the WHO and the European Medicines Agency (EMA) said the data did not indicate the vaccine caused the disorder. The EMA had

previously determined that “unusual blood clots” and “low blood platelets” should be listed as “very rare side effects” of the vaccine while emphasizing that the “overall benefits of the vaccine in preventing COVID-19 outweigh the risks of side effects.” WHO officials observed that “in extensive vaccination campaigns, it is routine for countries to signal potential adverse events,” but it does not mean the events are linked to the vaccination. They also encouraged the vaccine’s continued use while its safety data was being reviewed.

Moderna’s vaccine came under scrutiny next. Beginning in May, reports indicated officials were studying cases of myocarditis and pericarditis, which caused inflammation of heart muscles, that occurred in patients who had recently received their second dose of the Moderna vaccine. (Moderna, Pfizer, and AstraZeneca vaccines all require two doses to achieve full effectiveness.) These cases primarily occurred in younger people and were generally mild. In June, health officials determined there was a “likely association” between both the Moderna and Pfizer-BioNTech shots and an increased risk for the observed inflammatory conditions. Subsequent reports surfaced in August that men under age thirty had higher risk of developing myocarditis post-vaccination than other populations, and those ongoing investigations were delaying the vaccine’s approval for use in children aged twelve to seventeen. However, health officials and researchers involved in the investigations emphasized that COVID-19 carried a higher risk of heart conditions and other medical disorders than any of the available vaccines and encouraged all eligible populations to get their shots.

The increased scrutiny of COVID-19 vaccines—nearly all of which were used under emergency authorizations for most of the year—and building public pressure prompted AstraZeneca, Moderna, and Pfizer to release the so-called “blueprints” of their clinical trials. These typically remain confidential until trials are complete, but the drug makers sought to reassure the public that their vaccines were safe, even if they were developed at a record-breaking speed. Indeed, vaccine hesitancy was a challenge that governments around the world sought to address. Roughly 20 percent of U.S. adults said they would probably or definitely not get a COVID-19 vaccine at the beginning of 2021, according to surveys by the U.S. Census Bureau. Other surveys found evidence of vaccine skepticism among as much as 37 percent of the U.S. population. Private data company Morning Consult reported in March that significant portions of the population in countries including France (49 percent), Germany (50 percent), Italy (31 percent), and Canada (34 percent) were either unwilling to get vaccinated or were uncertain they would. Concerns about potential side effects and the speed with which vaccines were authorized drove hesitancy in most countries, fueled in part by disinformation disseminated largely via social media, but also shared by commentators and politicians affiliated with the ideological right.

VARIANTS OF CONCERN EMERGE

Questions about vaccine efficacy were raised, as well, as health officials began identifying more COVID-19 variants. The more a virus is allowed to spread, the more likely it is the virus will mutate and develop variants that may or may not respond to the same types of preventative measures or treatments as does the original strain. Thousands of variants have been found since COVID-19 was first detected, but a handful have triggered particular concern.

The alpha variant (also known as the Kent variant) was first identified in the UK in September 2020 and was announced on December 20. Scientists determined this variant

was 30 to 70 percent more transmissible than the original COVID-19 strain and suggested it could also be 30 to 70 percent deadlier than other variants. The alpha variant spread rapidly through the end of 2020 into early 2021 and became the dominant variant in several countries, including the United States. Authorized vaccines were said to be effective against the alpha variant.

The beta, or South African, variant was also identified in the fall of 2020 and announced in December. Data gathered on this variant indicated it effected young people at a higher rate, was more transmissible, was more resistant to antibody therapies, and could cause reinfection. Moderna, Pfizer, and Johnson & Johnson reported that their vaccines were less effective against this variant, although they still provided protection from it. However, use of the AstraZeneca vaccine was suspended in South Africa because health officials found it did not provide sufficient protection against mild and moderate cases of COVID-19 resulting from beta infections.

The gamma variant originated in Brazil. It was first discovered in January 2021 in people traveling from Brazil to Japan, but genetic sequencing of the variant showed it had developed as early as July 2020. Data suggested this variant was more transmissible than the original virus and that reinfection was possible. Scientists did not find evidence that authorized vaccines would not work against this variant, but there was some concern it might be able to evade vaccine-created antibodies.

In the spring, the delta variant made headlines around the globe, as it spread quickly from country to country and caused a major public health crisis in India, where it originated. Delta was found to be about 50 percent more contagious than the alpha variant, making it the most highly transmissible variant identified to date. Scientists have determined that delta is likely to cause more severe disease than other variants, can infect vaccinated people, and may be spread equally by vaccinated and unvaccinated individuals. Delta quickly became the most dominant variant worldwide.

UNITED STATES ANNOUNCES NATIONAL STRATEGY TO COMBAT COVID-19

Amid these developments, officials in the Biden administration sought to fill perceived gaps in the Trump administration's response to COVID-19, including by development of a comprehensive, national-level strategy for fighting the virus's spread. Biden revealed this strategy on his first full day in office, attempting to set expectations by stating, "Things are going to continue to get worse before they get better," before declaring, "We will get through this," and, "We will defeat this pandemic." The plan's three main components centered around vaccination, mask requirements, and better COVID-19 testing. On vaccines, Biden set a goal of administering 100 million shots in his first 100 days in office. As part of this effort, he directed the Federal Emergency Management Agency (FEMA) to establish federally supported community vaccination centers and announced a forthcoming Centers for Disease Control and Prevention (CDC) program to make vaccines available at local pharmacies starting in February. The Department of Health and Human Services would train and expand the pool of medical professionals equipped to administer the vaccine, Biden said, and a Health Equity Task Force would work to address vaccine hesitancy and combat disinformation campaigns. Biden also announced he was issuing an executive action to use the Defense Production Act and "all other available authorities" to "accelerate the making of everything that's needed to protect, test, vaccinate, and take care of our people," including syringes, needles, and protective equipment. The president compared this action to "a full-scale wartime effort" to address supply shortages.

Biden's strategy also involved asking Americans to wear masks for his first 100 days in office. Wearing a mask had "become a partisan issue, unfortunately," Biden said, but it is a "patriotic act" and doing so was "even more important than the vaccines" because the vaccines took time to work. Although he stopped short of imposing a national mask mandate, Biden did issue an executive action requiring masks and social distancing on federal property. A separate executive action extended mask-wearing requirements for interstate travel on trains, airplanes, and buses. Regarding COVID-19 testing, Biden said he was launching a COVID-19 Pandemic Testing Board to "ensure that we get testing to where it is needed and where it's needed most, helping schools and businesses reopen safely" and in long-term care facilities. He also announced that anyone flying to the United States from another country would have to be tested before they got on the airplane and must quarantine upon arrival.

Other aspects of Biden's plan included promising Americans they would hear more and directly from scientists and public health experts like Dr. Anthony Fauci, the director of the National Institute of Allergy and Infectious Diseases. Fauci and other public health officials had largely been sidelined by the Trump administration by the end of 2020, because their guidance conflicted with the White House's public positioning and preferred policies. Trump and his advisers reportedly also put pressure on the CDC and other federal entities to downplay the risks posed by the pandemic in their reports and to pull back on guidance—such as recommended safety measures for schools' reopening—with which the president disagreed. In presenting his national strategy, Biden pledged that medical experts would work "free from political interference" and would make decisions "strictly based on science and health care alone." Biden further announced that the United States had rejoined the WHO and reestablished the National Security Council's Global Pandemic Office—direct reversals of two Trump actions. "There are moments in history when more is asked of a particular generation," Biden said. "We are in that moment now. History is going to measure whether we were up to the task. I believe we are."

The White House push to inoculate Americans continued through early spring, with Biden announcing on March 10 a new collaboration between Johnson & Johnson and Merck—two competing pharmaceutical companies—to accelerate production of Johnson & Johnson's COVID-19 vaccine. The companies were "putting patriotism and public health first," Biden said, and their collaboration, combined with Pfizer's and Moderna's efforts to speed production of their vaccines, meant there would be "enough vaccine supply for every American adult by the end of May, months earlier than anyone expected." Biden also urged Americans to get their shots, declaring that "a vaccinated American is the only way to beat the pandemic, get our economy back on track, and for us to get back our lives and our loved ones."

Biden reported on the country's vaccination progress the following day, stating that about 65 percent of Americans aged sixty-five and older had received their first dose of vaccine, compared to only 8 percent when he took office. To continue the momentum, he directed all states, tribes, and territories to make all U.S. adults eligible for vaccination by May 1. Biden also set a tentative goal of vaccinating most Americans by July 4, an accomplishment he said would allow people to celebrate Independence Day with small gatherings.

—Linda Grimm

Following are remarks by World Health Organization (WHO) director-general Tedros Ghebreyesus on January 11, 2021, marking the one-year anniversary of the COVID-19 pandemic's first fatality; remarks by U.S. president Joseph R. Biden on

January 21, 2021, during which he presented a national strategy for combatting COVID-19; a press release issued by the COVAX Facility on February 24, 2021, announcing its first shipment of vaccine doses outside of India; Biden's remarks on March 10, 2021, announcing a partnership between Johnson & Johnson and Merck to speed vaccine production; a statement issued by the WHO on March 17, 2021, about AstraZeneca vaccine side effects; a press release from COVAX on April 8, 2021, about vaccine distribution progress; Biden's remarks on June 10, 2021, announcing a U.S. donation of vaccine doses to low-income countries; and a press release issued by UNICEF on June 13, 2021, reacting to the G7 pledge to share vaccine doses.



WHO Director-General's Remarks at Media Briefing

January 11, 2021

Good morning, good afternoon and good evening.

One year ago, the first death from COVID-19 was reported and WHO issued its first tranche of technical guidance.

The comprehensive package included guidance on surveillance, lab testing, infection prevention and control, a readiness checklist, and risk communication and community engagement.

A year on, there have been almost 2 million deaths from the COVID-19 virus and while we are hopeful about the safe and effective vaccines that are being rolled out, we want to see this sped up and vaccines allocated equitably in the coming weeks.

Next week at the WHO Executive Board, I will be encouraging all countries to fulfill their pledges to COVAX.

I call for a collective commitment so that within the next 100 days, vaccination for health workers and those at high-risk in all countries are underway.

Governments, manufacturers, civil society, religious and community leaders must come together to create the greatest mass mobilization in history for equitable vaccination.

WHO continues to ask vaccine manufacturers from around the world to move swiftly to provide the necessary data that will allow us to consider them for emergency use listings.

I'm pleased that a WHO team is in China currently working with producers of the Sinovac and Sinopharm vaccines to assess compliance with international quality manufacturing practices ahead of potential emergency use listing by WHO . . .

We also look forward to Serum Institute of India submitting full data sets for rapid assessment so WHO can determine whether we can recommend their AstraZeneca vaccine for international use.

These are just a couple examples of work under way by WHO, GAVI, CEPI and other partners aimed at safe, rapid, equitable and wise allocation of vaccines.

As I have said before and will say again, saving lives, livelihoods and economies depends on a global agreement to avoid vaccine nationalism . . .

With new treatments coming down the pipeline, we are hopeful that more lives of those with serious cases of COVID-19 can be saved.

But we need to follow the public health basics now more than ever.

Keep as much physical distance as you can from other people. Keep rooms well-ventilated. Wear a mask. Keep your hands clean. And cough away from others into your elbow.

You might get fed up of hearing it but the virus is not fed up with us . . .

What's most critical is that we sequence the virus effectively so we know how it's changing and how to respond.

For example, while diagnostics and vaccines still seem to be effective against the current virus, we may need to tweak them in the future.

Last week, WHO released a comprehensive implementation guide and risk-monitoring framework to help countries set up high-impact sequencing programmes.

We call on all countries to increase the sequencing of the virus to supplement ongoing surveillance, monitoring and testing efforts.

And to share that data internationally. This helps us better understand when variants of concern are identified . . .

Building upon our existing lab networks, WHO is working with countries to enhance sequencing capacity and we extend our support to all countries who need it . . .

Just as we look forward on research and rolling out vaccines, we continue work on the origins.

We are pleased that an international team of scientists—distinguished experts from ten institutions and countries—are commencing their travel to China to engage in and review scientific research with their Chinese counterparts on the origins of the virus . . .

Studies will begin in Wuhan to identify the potential source of infection of the early cases.

Scientific evidence will drive hypotheses, which will then be the basis for further, longer-term studies.

This is important not just for COVID-19 but for the future of global health security and to manage emerging disease threats with pandemic potential . . .

SOURCE: World Health Organization. "WHO Director-General's Opening Remarks at the Media Briefing on COVID-19 – 11 January 2021." January 11, 2021. License: CC BY-NC-SA 3.0 IGO. <https://www.who.int/director-general/speeches/detail/who-director-general-s-opening-remarks-at-the-media-briefing-on-covid-19-11-january-2021>.



President Biden Announces National Strategy on COVID-19

January 21, 2021

. . . On Tuesday, Jill and I, and Kamala and Doug, we stood at the Reflecting Pool in front of the Lincoln Memorial and joined Americans all across the country to remember those 400,000 moms and dads, husbands and wives, children—sons, daughters. And I said at that moment that to heal, we must remember . . . But we must also act, though, not just remember.

Yet, for the past year, we couldn't rely on the Federal Government to act with the urgency and focus and coordination we needed. And we have seen the tragic cost of that

failure: 3,000 to 4,000 deaths per day. To date, more than 24 million Americans—24 million Americans—have been infected. To put that in context, America makes up 4 percent of the world's population, but 25 percent of the world's confirmed COVID-19 cases and nearly 20 percent of all the COVID-19 deaths, when we have 4 percent of the world's population.

The pandemically—the pandemic, excuse me, has disproportionately impacted on Blacks, Latinos, and Native Americans, who are about four times as likely to be hospitalized and nearly three times more likely to die from the COVID-19 pandemic than White Americans.

Hospitals are out of beds. Businesses are closed for good. Schools are caught in between. And while the vaccines provide so much hope, the rollout has been a dismal failure thus far.

So I understand the despair and frustration of so many Americans and how they're feeling. I understand why many Governors, mayors, county officials, Tribal leaders feel like they're left on their own without a clear national plan to get them through the crisis.

Let me be very clear: Things are going to continue to get worse before they get better . . .

But let me be equally clear: We will get through this. We will defeat this pandemic. And to a nation waiting for action, let me be the clearest on this point: Help is on the way.

Today—today—I am unveiling a national strategy on COVID-19 and executive actions to beat this pandemic . . .

Our plan starts with mounting an aggressive, safe, and effective vaccination campaign to meet our goal of administering 100 million shots in our first hundred days in office. We're on day one. This will be one of the greatest operational challenges our Nation has ever undertaken, and I'm committed to getting it done . . .

Yesterday we got started. We directed the Federal Emergency Management Agency—FEMA—to start standing up the first federally supported community vaccination centers, with the goal of standing up 100 centers within the next month. The Centers for Disease Control and Prevention will launch the Federal pharmacy program to make vaccines available to communities and their local pharmacies beginning early—within—I think by the 7th or 8th of February, but in very early February.

We'll also task the Department of Health and Human Services to prepare and expand the pool of medical professionals who can administer the vaccine . . . and to ensure we have enough vaccinators—the people doing the vaccines—to meet the Nation's needs and quickly.

In addition to this effort, our administration will be asking Congress . . . for the funds to grow the public health workforce. We also are going to take immediate steps to partner with Governors, mayors, and other local officials, who we've been talking to all along, who are on the frontlines of this fight.

We directed FEMA to establish a COVID response liaison for each State, which means every State will have a point person at the Federal level to maximize cooperation between the Federal Government and the States. And where it falls short, to be made known about it—to be made known immediately.

This is a model we used to respond to hurricanes—Hurricane Sandy, which I was deeply involved with. And in just a few moments, I'm going to sign a declaration to immediately begin reimbursing States 100 percent for the use of their national guards to help COVID relief efforts, something Democrats and Republican Governors alike have called for . . .

One of our 100-day challenges is asking the American people to mask up for the first 100 days—the next 99 days. The masks have become a partisan issue, unfortunately, but it's a patriotic act. But for a few months, to wear a mask—no vaccines—the fact is that they're the single best thing we can do. They're even more important than the vaccines—because they take time to work.

And if we do this as Americans, the experts say, by wearing a mask from now until April, we'd save more than 50,000 lives going forward. Fifty thousand lives. So I'm asking every American to mask up for the next hundred days.

Yesterday I signed an executive action that requires masks and social distancing on Federal property. Today we'll be signing an additional executive action to extend masking requirements on interstate travel, like on trains, planes, and buses. And in light of the new COVID variants that we're—you're learning about, we are instituting now a new measure for individuals flying into the United States from other countries.

In addition to wearing masks, everyone flying to the United States from another country will need to test before they get on that plane, before they depart, and quarantine when they arrive in America.

Our national plan launches a full-scale wartime effort to address the supply shortages by ramping up production and protective equipment—syringes, needles—you name it . . . Today I'm signing an executive action to use the Defense Production Act and all other available authorities to direct all Federal agencies and private industry to accelerate the making of everything that's needed to protect, test, vaccinate, and take care of our people . . .

Now, look, our strategy includes a plan to safely reopen schools and businesses, while protecting our workers. Today we're directing the Department of Education and the Department of Health and Human Services to immediately provide schools and communities with clear guidance and resources to safely reopen the schools and childcare centers . . .

We're going to put the full force of the Federal Government behind expanding testing by launching a COVID-19 Pandemic Testing Board. This effort will ensure that we get testing to where it is needed and where it's needed most, helping schools and businesses reopen safely, and protecting the most vulnerable, like those who live in long-term care facilities.

And for the millions of workers—many of whom are people of color, immigrants, and low-wage workers—who continue to put their lives on the line to keep this country going through the pandemic, I am calling for the enforcement of more stringent worker safety standards so that you are better protected from this virus while you have to continue to work to protect the rest of us. Our plan also protects those most at risk and works for everyone of all races and in urban and rural communities alike.

Today I'm formalizing the Health Equity Task Force that we announced in the transition, led by the brilliant Dr. Marcella Nunez-Smith, who ensures that—is going to ensure that equality is at the core of every decision we make. That includes addressing vaccine hesitancy and building trust in communities, as well as fighting disinformation campaigns that are already underway.

Above all, our plan is to restore public trust. We will make sure that science and public experts—scientists and public health experts will speak directly to you. That's why you're going to be hearing a lot more from Dr. Fauci again—and not from the President, but from the real genuine experts and scientists.

We're going to make sure they work free from political interference, and that they make decisions strictly based on science and health care alone—science and health alone, not what the political consequences are . . .

Progress from our plan will take time to measure, as people getting infected today—they don't show up in case counts for weeks, and those who perish from the disease die weeks after their exposure. Despite the best intentions, we're going to face setbacks, which I will always explain to you.

But I also know: We can do this if we come together. That's why, ultimately, our plan is based on unity and all of us acting as one Nation. It requires families and neighbors looking out for one another; health care providers, and businesses, and civic and religious and civil rights organizations, and unions all relying together on a common purpose, with urgency and purpose and resolve.

It requires reasserting our global leadership, which is why I took an action yesterday for the United States to rejoin the World Health Organization and to reestablish our Global Pandemic Office in the National Security Council.

It requires Congress coming together to provide the necessary funding in the COVID-relief package and the American Rescue Plan that I will soon be sending to the Congress. I know these bold, practical steps will not come cheaply, but failing to do so will cost us so much more dearly. I look forward to working with Members of both parties in the Congress. We're in a national emergency, and it's time we treat it like one—together, with a national plan, as the United States of America.

As I said yesterday in my Inaugural Address, there are moments in history when more is asked of a particular generation, more is asked of us as Americans than other times. We are in that moment now. History is going to measure whether we were up to the task. I believe we are. The American people have given so much already, but I believe they're ready to set big goals and pursue them with courage, conviction, and honesty because the health of the Nation is literally at stake . . .

SOURCE: Executive Office of the President. "Remarks Announcing the National Strategy on COVID-19 and an Exchange With Reporters." January 21, 2021. *Compilation of Presidential Documents* 2021, no. 00066 (January 21, 2021). <https://www.govinfo.gov/content/pkg/DCPD-202100066/pdf/DCPD-202100066.pdf>.



COVAX Facility Announces Beginning of Global COVID-19 Vaccine Rollout

February 24, 2021

Today, Ghana became the first country outside India to receive COVID-19 vaccine doses shipped via the COVAX Facility. This is a historic step towards our goal to ensure equitable distribution of COVID-19 vaccines globally, in what will be the largest vaccine procurement and supply operation in history. The delivery is part of a first wave of arrivals that will continue in the coming days and weeks.

On 23 February, COVAX shipped 600 000 doses of the AstraZeneca / Oxford vaccine, from the Serum Institute of India (SII) from Pune, India to Accra, Ghana, arriving on the morning of 24 February. The arrival in Accra is the first batch shipped and delivered in Africa by the COVAX Facility as part of an unprecedented effort to deliver at least 2 billion doses of COVID-19 vaccines by the end of 2021.

COVAX is co-led by Gavi, the Vaccine Alliance, the World Health Organization (WHO) and the Coalition for Epidemic Preparedness Innovations (CEPI), working in partnership with UNICEF as well as the World Bank, civil society organisations, manufacturers, and others.

“COVAX’s mission is to help end the acute phase of the pandemic as quickly as possible by enabling global equitable access to COVID-19 vaccines. Today’s delivery takes us another step closer to this goal and is something the whole world can be proud of. Over the coming weeks, COVAX must deliver vaccines to all participating economies to ensure that those most at risk are protected, wherever they live. We need governments and businesses now to recommit their support for COVAX and help us defeat this virus as quickly as possible,” said Dr Seth Berkley, CEO of Gavi, the Vaccine Alliance.

“We will not end the pandemic anywhere unless we end it everywhere,” said Dr Tedros Adhanom Ghebreyesus, WHO Director-General. “Today is a major first step towards realizing our shared vision of vaccine equity, but it’s just the beginning. We still have a lot of work to do with governments and manufacturers to ensure that vaccination of health workers and older people is underway in all countries within the first 100 days of this year.”

Dr Richard Hatchett, CEO of CEPI said: “This is a landmark moment in our efforts to get life-saving vaccine to the world. The fact that we now have multiple safe and effective vaccines against COVID-19 developed in record time is testament to the scientific community and industry rising to the challenge of this pandemic. With this shipment we also see the global community, through COVAX, responding to the challenge of delivering these vaccines to those who need them most. Let us celebrate this as a moment of global solidarity in the struggle against the pandemic. But there is still much to do. With the increased spread of COVID-19 variants, we have entered a new and less predictable phase of the pandemic. It is crucial that the vaccines we have developed are shared globally, as a matter of the greatest urgency, to reduce the prevalence of disease, slow down viral mutation, and bring the pandemic to an end.”

“Today marks the historic moment for which we have been planning and working so hard. With the first shipment of doses, we can make good on the promise of the COVAX Facility to ensure people from less wealthy countries are not left behind in the race for life-saving vaccines,” said Henrietta Fore, UNICEF Executive Director. “In the days ahead, frontline workers will begin to receive vaccines, and the next phase in the fight against this disease can begin—the ramping up of the largest immunization campaign in history. Each step on this journey brings us further along the path to recovery for the billions of children and families affected around the world.”

The vaccines arrived on a flight from Mumbai, via Dubai, where the flight also collected a shipment of syringes from a Gavi-funded stockpile at UNICEF’s regional Supply Hub.

Over the past several months, COVAX partners have been supporting governments and partners, particularly for AMC-eligible participants, in readiness efforts, in preparation for this moment. This includes assisting with the development of national vaccination plans, support for cold chain infrastructure, as well as stockpiling of half a billion syringes and safety boxes for their disposal, masks, gloves and other equipment to ensure that there is enough equipment for health workers to start vaccinating priority groups as soon as possible.

In order for doses to be delivered to Facility participants via this first allocation round, several critical pieces must be in place, including confirmation of national regulatory authorisation criteria related to the vaccines delivered, indemnification agreements,

national vaccination plans from AMC participants, as well as other logistical factors such as export and import licenses.

As participants fulfil the above criteria and finalise readiness preparations, COVAX will issue purchase orders to the manufacturer and ship and deliver doses via an iterative process. This means deliveries for this first round of allocation will take place on a rolling basis and in tranches . . .

SOURCE: World Health Organization. "COVID-19 Vaccine Doses Shipped by the COVAX Facility Head to Ghana, Marking Beginning of Global Rollout." February 24, 2021. License: CC BY-NC-SA 3.0 IGO. <https://www.who.int/news/item/24-02-2021-covid-19-vaccine-doses-shipped-by-the-covax-facility-head-to-ghana-marking-beginning-of-global-rollout>.



President Biden Announces Johnson & Johnson and Merck and Company Collaboration on COVID-19 Vaccine Production

March 10, 2021

. . . Today we're seeing two health companies—competitors—each with over 130 years of experience, coming together to help write a more hopeful chapter in our battle against COVID-19. I just had an opportunity to meet with both of these CEOs and with their senior operating officers and to hear about the work they're doing together to produce vaccine substitute [substance]* and accelerate what they call to take it to full finish [fill finish].*

You know, what's clear is, this is a historic, nearly unprecedented collaboration. During World War II, one of the country's slogans was "We are all in this together." . . .

Today we're seeing the same type of collaboration when it comes to getting this virus under control. I said we ought to treat this like a war. So I want to thank the two companies for showing how we can come together to defeat this virus by putting patriotism and public health first. And I mean that literally, putting patriotism and public health first . . .

You know, when we came into office, we began working with the team at J&J to accelerate and add capacity to their manufacturing and production efforts. And it quickly became clear that Merck—one of the world's leading vaccine manufacturers—was in a position to be the partner we needed in this effort—in this wartime effort.

I've not hesitated to use my power under the Defense Production Act to expedite critical materials in vaccine production, such as equipment, machinery, and supplies. And it's not just Johnson and Johnson and Merck; Pfizer, Moderna also worked closely with us to help speed up the delivery of millions of more doses.

The result is that we're now on track to have enough vaccine supply for every American adult by the end of May, months earlier than anyone expected. And today I am directing Jeff and my HHS team to produce another 100 million doses and purchase another 100 million doses of the Johnson and Johnson vaccine. I'm doing this because, in this wartime efforts, we

need maximum flexibility. There is always a chance that we'll encounter unexpected challenges or we'll—there will be a new need for a vaccine effort—or vaccination effort.

A lot can happen, a lot can change, and we need to be prepared. And of course, we need to match the miracle of science and the skill of manufacturing with the massive logistical undertaking of vaccinating over 300 million Americans. Already, we have gone from Johnson and Johnson vaccine authorization to shots in the arm in 3 days . . .

Seven weeks ago, only 8 percent of the seniors—those most vulnerable to COVID-19—had received the vaccination. Today, 60 percent of the people over the age of 65 or older have received at least one shot. And that's because this is the population that represents 80 percent of the COVID-19 deaths . . .

On Saturday, we hit a record of 2.9 million vaccinations in 1 day in America . . .

Again, a vaccinated American is the only way to beat the pandemic, get our economy back on track, and for us to get back our lives and our loved ones . . .

There is light at the end of this dark tunnel of the past year, but we cannot let our guard down now or assume that victory is inevitable. Together, we're going to get through this pandemic and usher in a healthier and more hopeful future. So there is real reason for hope, folks. There's real reason for hope, I promise you . . .

SOURCE: Executive Office of the President. "Remarks Announcing a Collaboration Agreement by Johnson and Johnson and Merck and Company on COVID-19 Vaccine Production and an Exchange With Reporters." March 10, 2021. *Compilation of Presidential Documents* 2021, no. 00218 (March 10, 2021). <https://www.govinfo.gov/content/pkg/DCPD-202100218/pdf/DCPD-202100218.pdf>.



WHO Statement on AstraZeneca COVID-19 Vaccine Safety Signals

March 17, 2021

Some countries in the European Union have temporarily suspended use of the AstraZeneca COVID-19 vaccine as a precautionary measure based on reports of rare blood coagulation disorders in persons who had received the vaccine. Other countries in the EU—having considered the same information—have decided to continue using the vaccine in their immunization programmes.

Vaccination against COVID-19 will not reduce illness or deaths from other causes. Thromboembolic events are known to occur frequently. Venous thromboembolism is the third most common cardiovascular disease globally.

In extensive vaccination campaigns, it is routine for countries to signal potential adverse events following immunization. This does not necessarily mean that the events are linked to vaccination itself, but it is good practice to investigate them. It also shows that the surveillance system works and that effective controls are in place.

WHO is in regular contact with the European Medicines Agency and regulators around the world for the latest information on COVID-19 vaccine safety. The WHO COVID-19 Subcommittee of the Global Advisory Committee on Vaccine Safety is carefully assessing the latest available safety data for the AstraZeneca vaccine. Once that review is completed, WHO will immediately communicate the findings to the public.

At this time, WHO considers that the benefits of the AstraZeneca vaccine outweigh its risks and recommends that vaccinations continue.

SOURCE: World Health Organization. “WHO Statement on AstraZeneca COVID-19 Vaccine Safety Signals.” March 17, 2021. License: CC BY-NC-SA 3.0 IGO. <https://www.who.int/news/item/17-03-2021-who-statement-on-astrazeneca-covid-19-vaccine-safety-signals>.



COVAX Announces Milestone in Vaccine Distribution

April 8, 2021

More than one hundred economies have received life-saving COVID-19 vaccines from COVAX, the global mechanism for equitable access to COVID-19 vaccines. The milestone comes 42 days after the first COVAX doses were shipped and delivered internationally, to Ghana on 24 February 2021.

COVAX has now delivered more than 38 million doses across six continents, supplied by three manufacturers, AstraZeneca, Pfizer-BioNTech and the Serum Institute of India (SII). Of the over 100 economies reached, 61 are among the 92 lower-income economies receiving vaccines funded through the Gavi COVAX Advance Market Commitment (AMC).

Despite reduced supply availability in March and April—the result of vaccine manufacturers scaling and optimizing their production processes in the early phase of the roll-out, as well as increased demand for COVID-19 vaccines in India—COVAX expects to deliver doses to all participating economies that have requested vaccines in the first half of the year.

“In under four months since the very first mass vaccination outside a clinical setting anywhere in the world, it is tremendously gratifying that the roll-out of COVAX doses has already reached one hundred countries,” said Dr Seth Berkley, CEO of Gavi, the Vaccine Alliance. “COVAX may be on track to deliver to all participating economies in the first half of the year yet we still face a daunting challenge as we seek to end the acute stage of the pandemic: we will only be safe when everybody is safe and our efforts to rapidly accelerate the volume of doses depend on the continued support of governments and vaccine manufacturers. As we continue with the largest and most rapid global vaccine rollout in history, this is no time for complacency.”

“COVAX has given the world the best way to ensure the fastest, most equitable rollout of safe and effective vaccines to all at-risk people in every country on the planet,” said Dr Tedros Adhanom Ghebreyesus, WHO Director-General. “If we are going to realize this great opportunity, countries, producers and the international system must come together to prioritize vaccine supply through COVAX. Our collective future, literally, depends on it.”

“This is a significant milestone in the fight against COVID-19. Faced with the rapid spread of COVID-19 variants, global access to vaccines is fundamentally important to reduce the prevalence of the disease, slow down viral mutation, and hasten the end of the pandemic,” said Dr Richard Hatchett, CEO of the Coalition for Epidemic Preparedness Innovations (CEPI). “The extraordinary scientific achievements of the last year must now be matched by an unprecedented effort to protect the most vulnerable, so the global

community must remain firmly focused on reducing the equity gap in COVID-19 vaccine distribution.”

“In just a month and a half, the ambition of granting countries access to COVID vaccines is becoming a reality, thanks to the outstanding work of our partners in the COVAX Facility,” said Henrietta Fore, UNICEF Executive Director. “However, this is no time to celebrate; it is time to accelerate. With variants emerging all over the world, we need to speed up global rollout. To do this, we need governments, along with other partners, to take necessary steps to increase supply, including by simplifying barriers to intellectual property rights, eliminating direct and indirect measures that restrict exports of COVID-19 vaccines, and donating excess vaccine doses as quickly as possible.”

According to its latest supply forecast, COVAX expects to deliver at least 2 billion doses of vaccines in 2021. In order to reach this goal, the COVAX Facility will continue to diversify its portfolio further, and will announce new agreements with vaccine manufacturers in due course . . .

SOURCE: World Health Organization. “COVAX Reaches Over 100 Economies, 42 Days After First International Delivery.” April 8, 2021. License: CC BY-NC-SA 3.0 IGO. <https://www.who.int/news/item/08-04-2021-covax-reaches-over-100-economies-42-days-after-first-international-delivery>.



President Biden Remarks on the COVID-19 Vaccination Program

June 10, 2021

[The following content has been excerpted from longer remarks delivered by President Biden ahead of the G7 Summit in the United Kingdom.]

. . . And tonight, I’m making a historic announcement regarding America’s leadership in the fight against COVID-19. America knows firsthand the tragedies of this pandemic . . .

From the beginning of my presidency, we have been clear-eyed that we need to attack this virus globally as well. This is about our responsibility—our humanitarian obligation to save as many lives as we can—and our responsibility to our values. We value the inherent dignity of all people. In times of trouble, Americans reach out to offer help and to offer a helping hand. That’s who we are . . .

It’s also in America’s self-interest. As long as the virus rages elsewhere, there is a risk of new mutations that could threaten our people . . .

That’s why, as I said in my address to the joint session of Congress in April, America will be the arsenal of vaccines in our fight against COVID-19, just as America was the arsenal of democracy during World War II.

Over the past 4 months, we have taken a number of steps toward this historic effort. We have contributed more than any nation to COVAX—a collective global effort that is delivering COVID-19 vaccines across the world. We have supported manufacturing efforts abroad through our partnerships with Japan, India, and Australia—known as the “Quad.” We’ve shared doses with our neighbors Canada and Mexico.

And in addition, 3 weeks ago, with America’s vaccines—America’s vaccine supply secured and with confidence we have enough vaccines to cover every American who

wants one, we announced that we would donate 80 million doses of our own vaccine—in house now—to supply the world by the end of June. Many of these doses are shipping to countries around the world as we speak.

And today, we're taking a major step that will supercharge the global fight against this pandemic. At my direction, the United States will purchase an additional half billion doses from Pfizer—the Pfizer vaccine—that we'll donate [to] nearly 100 low- and lower-middle-income countries . . .

That's a historic step. The largest single purchase and donation of COVID-19 vaccines by any single country ever . . .

These half a billion vaccines will start to be shipped in August as quickly as they roll off the manufacturing line. Two hundred million of these doses will be delivered this year, in 2021, and 300 million more will be delivered in the first half of 2022.

Let me be clear: Just as with the 80 million doses we previously announced, the United States is providing these half billion [billion]* doses with no strings attached. Let me say it again: with no strings attached. Our vaccine donations don't include pressure for favors or potential concessions. We're doing this to save lives, to end this pandemic . . .

SOURCE: Executive Office of the President. "Remarks on the Global COVID-19 Response and Vaccination Efforts in St. Ives, United Kingdom." June 10, 2021. *Compilation of Presidential Documents* 2021, no. 00495 (June 10, 2021). <https://www.govinfo.gov/content/pkg/DCPD-202100495/pdf/DCPD-202100495.pdf>.



G7 Pledges 870 Million COVID-19 Vaccine Doses

June 13, 2021

In a landmark agreement at G7 summit, held in Cornwall, UK, global leaders have pledged to share COVID-19 vaccine doses internationally, in support of global equitable access and to help end the acute phase of the pandemic . . . G7 countries committed to share at least 870 million doses of COVID-19 vaccines directly, with the aim to deliver at least half by the end of 2021, and reaffirmed their support for COVAX as “the primary route for providing vaccines to the poorest countries.”

COVAX partners welcome this commitment, along with continued support for exporting in significant proportions, promotion of voluntary licensing and not-for-profit global production. COVAX looks forward to seeing doses flowing to countries as soon as possible. Facing an urgent supply gap, COVAX is focused on securing as many shared doses as possible immediately, as the third quarter of this year is when the gap between deliveries and countries' ability to absorb doses will be greatest. COVAX will work with the G7 and other countries that have stepped up to share doses as rapidly and equitably as possible. This will help address short-term supply constraints currently impacting the global response to COVID-19 and minimize the prospect of future deadly variants . . .

“This is an important moment of global solidarity and a critical milestone in the push to ensure those most at risk, everywhere are protected,” said Dr Seth Berkley, CEO of Gavi, the Vaccine Alliance (Gavi). “As we strive towards our goal of ending the acute phase of the pandemic, we look forward to working with countries to ensure these doses pledged are quickly turned into doses delivered.”

“This is an historic moment—as leaders of some of the wealthiest countries come together to ensure that all parts of the world have access to life saving vaccines,” Dr. Richard Hatchett, CEO of CEPI (the Coalition for Epidemic Preparedness Innovations), added. “This pandemic has shown us that we cannot set national against international interests. With a disease like COVID-19 we have to ensure that we get it under control everywhere. There is still much to do to get vaccines in arms and ensure our R&D allows us to stay one step ahead of the virus. But for today we give pause and celebrate a watershed moment of political alignment and collaboration.”

Henrietta Fore, Executive Director of UNICEF, said: “We have reached a grim milestone in this pandemic: There are already more dead from COVID-19 in 2021 than in all of last year. Without urgent action, this devastation will continue. Equitable access to COVID-19 vaccines represents the clearest pathway out of this pandemic for all of us—children included. UNICEF thanks G7 member states for their significant pledges and continued support. However, much work remains to continue to ramp up both the amount and the pace of supply to the rest of the world, because when it comes to ending the COVID-19 pandemic, our best interests and our best natures align. This crisis will not be over until it is over for everyone.”

WHO Director General, Dr Tedros Adhanom Ghebreyesus, stressed: “Many other countries are now facing a surge in cases—and they are facing it without vaccines. We are in the race of our lives, but it’s not a fair race, and most countries have barely left the starting line. We welcome the generous announcements about donations of vaccines and thank leaders. But we need more, and we need them faster.”

“Africa’s current vaccine supply shortage risks prolonging the pandemic, not just for millions on the continent, but for the whole world,” said Dr. Githinji Gitahi, Group CEO, AMREF Health Africa. “I applaud the Group of Seven’s leadership in sharing doses with COVAX and urge them—and others to share doses now, not later in the year, when our need is greatest.”

SOURCE: UNICEF. “G7 Announces Pledges of 870 Million COVID-19 Vaccine Doses, of Which at Least Half to be Delivered by the End of 2021.” June 13, 2021. <https://www.unicef.org/press-releases/g7-announces-pledges-870-million-covid-19-vaccine-doses-which-least-half-be>.

OTHER HISTORIC DOCUMENTS OF INTEREST

FROM THIS VOLUME

- The American Rescue Plan Act Is Passed, p. 171
- COVID-19 Delta Variant Spreads around the Globe, p. 270
- States and the Federal Government Implement COVID-19 Vaccine Mandates and Bans, p. 522

FROM PREVIOUS *HISTORIC DOCUMENTS*

- COVID-19: China and Health Organizations Comment on Novel Coronavirus, 2020, p. 45
- COVID-19: World Leaders Comment on Vaccine Development and Distribution, 2020, p. 511

President Trump Impeached a Second Time

JANUARY 12, JANUARY 13, JANUARY 25,
AND FEBRUARY 13, 2021

Following the January 6 attack on the U.S. Capitol, the House of Representatives voted to impeach President Donald Trump—the second such vote of his presidency—for incitement of insurrection. Trump’s trial began in the Senate after President Joseph R. Biden took office, and ultimately the chamber voted not to convict the former president. Ten Republicans in the House and seven Republicans in the Senate voted in favor of impeachment and conviction, respectively, the most ever from a president’s own party in such proceedings.

HOUSE DEBATES HISTORIC IMPEACHMENT

President Trump, his lawyers, and his supporters made multiple attempts to overturn his defeat by former vice president Biden in the November 2020 election. These efforts came to a head on January 6, 2021, as Congress met to certify the results of the election, a largely ceremonial task. As Vice President Mike Pence oversaw the proceedings and read aloud each state’s Electoral College tally, Trump supporters attacked the Capitol building, breaking through doors and windows and marauding through the halls. Members of Congress and their staff were forced to hide as Capitol Police, the National Guard, and law enforcement from Virginia, Maryland, and Washington, D.C., tried to repel the rioters and allow the vote certification to continue.

On January 11, in response to the attack, one article of impeachment was introduced in the House of Representatives against President Trump for “incitement of insurrection.” According to the filing, “in his conduct while President of the United States—and in violation of his constitutional oath faithfully to execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty to take care that the laws be faithfully executed—Donald John Trump engaged in high Crimes and Misdemeanors by inciting violence against the Government of the United States.” The article contends that Trump encouraged his supporters to act lawlessly in an effort to overturn the election and that his conduct “demonstrated that he will remain a threat to national security, democracy, and the Constitution if allowed to remain in office.”

On January 13, the House for two hours debated the article of impeachment while National Guard troops protected the Capitol. In their speeches on the House floor, Democrats and Republicans called alternately for unity between the parties to move forward and the need to hold accountable those responsible for inciting the riot, even if the president was set to leave office within one week. Few Republicans defended the president’s statements prior to, during, or after January 6, and instead focused on criticizing the impeachment process. Minority Leader Kevin McCarthy, R-Calif., said rushing the impeachment was a mistake but “that doesn’t mean the President is free from fault. The president bears responsibility for Wednesday’s attack on Congress by mob rioters. He should have immediately denounced the mob when he saw what was unfolding.”

Ultimately, the chamber voted 232–197 to impeach the president for a second time. Ten Republicans—including Rep. Liz Cheney, R-Wyo., the third-highest ranking Republican in the House—voted with all Democrats in favor of impeachment. Trump, who was now the first president in U.S. history to be impeached and face a Senate trial twice, responded that “no true supporter of mine would ever endorse political violence.”

SENATE ACQUITS PRESIDENT TRUMP

On January 25, five days after Trump left office, the House impeachment managers delivered the article to the Senate. The next day, Republicans attempted to table the impeachment effort, arguing that the Senate no longer had jurisdiction over the former president, and therefore such a trial would be unconstitutional. The motion to dismiss failed 55–45, with five Republicans voting to allow the trial to move forward. On February 9, shortly after agreeing to the trial rules and procedures, the Senate again debated the constitutionality of the impeachment trial of a former president. House impeachment manager Rep. Joe Neguse, D-Colo., argued that failure by Congress to take up the impeachment case “would invite future presidents to use their power without any fear of accountability . . . presidents can’t inflame insurrection in their final weeks and then walk away like nothing happened.” After Trump lawyer Bruce Castor told the chamber, “We changed what we were going to do on the count that we thought the House managers’ presentation was well done,” his colleague David Schoen said holding the trial “puts the institution of the presidency at risk” and “will tear this country apart.” The Senate again chose to allow the impeachment trial to proceed, this time by a vote of 56–44, with six Republicans joining all Democrats.

Over the course of three days, the former president’s lawyers and the House impeachment managers each presented their case and senators were given the chance to raise questions. Trump’s defense team argued that anything the president said before the January 6 riot was protected by his Constitutional right to free speech. They urged law enforcement to find those who participated in the riots and punish them instead. The Senate did not call witnesses during the trial—even though it voted to do so—and multiple lawmakers questioned the need for them, given that many members were witness to the events of January 6. The president also declined a request from Democrats to testify on his own behalf. Closing arguments were delivered on February 13, shortly ahead of the Senate vote.

Convicting a president requires a two-thirds majority in the Senate, and the final vote on February 13 fell short of that threshold, 57–43, with seven Republicans joining all Democrats in support of conviction. Minority Leader Mitch McConnell, R-Ken., who had shied away from expressing his views on the matter publicly, voted against convicting Trump, but did say the former president was “practically and morally responsible for provoking the events of the day. . . . The people who stormed this building believed they were acting on the wishes and instructions of their president.” Had Trump been convicted in the Senate, because he could no longer be removed from office, the next likely route would have been for the Senate to vote to disqualify the former president from ever again holding public office.

After his acquittal, Trump remarked, “This has been yet another phase of the greatest witch hunt in the history of our country. No president has ever gone through anything like it.” He added, “Our historic, patriotic and beautiful movement to make America Great Again has only just begun.”

—Heather Kerrigan

Following is the text of a press release from Rep. Liz Cheney, R-Wyo., on January 12, 2021, announcing her intent to vote in favor of impeachment; two floor speeches delivered on January 13, 2021, by Rep. Jim McGovern, D-Mass., and House minority leader Kevin McCarthy, R-Calif., on the articles of impeachment under consideration

before the House; the text of the House resolution impeaching former president Donald Trump, as received in the Senate on January 25, 2021; floor statements delivered on February 13, 2021, by Senate minority leader Mitch McConnell, R-Ky., Sen. Susan Collins, R-Maine, and Senate majority leader Chuck Schumer, D-N.Y., after the vote acquitting Trump; and a February 13, 2021, statement from President Joseph R. Biden regarding the vote in the Senate to acquit Trump.



No. 3 Republican Announces Vote for Trump Impeachment

January 12, 2021

Wyoming Congresswoman and House Republican Conference Chair Liz Cheney (R-WY) released the following statement ahead of votes in the House this week:

“On January 6, 2021, a violent mob attacked the United States Capitol to obstruct the process of our democracy and stop the counting of presidential electoral votes. This insurrection caused injury, death and destruction in the most sacred space in our Republic.

“Much more will become clear in coming days and weeks, but what we know now is enough. The President of the United States summoned this mob, assembled the mob, and lit the flame of this attack. Everything that followed was his doing. None of this would have happened without the President. The President could have immediately and forcefully intervened to stop the violence. He did not. There has never been a greater betrayal by a President of the United States of his office and his oath to the Constitution.

“I will vote to impeach the President.”

SOURCE: Office of Representative Liz Cheney. “Cheney: I Will Vote To Impeach The President.” January 12, 2021. <https://cheney.house.gov/2021/01/12/cheney-i-will-vote-to-impeach-the-president>.



Rep. McGovern Encourages Support of Impeachment

January 13, 2021

... Mr. Speaker, we are debating this historic measure at an actual crime scene, and we wouldn't be here if it weren't for the President of the United States.

On Wednesday, January 6, Congress gathered here to fulfill our constitutional duty, tallying the electoral college victory of President-elect Biden and Vice-President-elect HARRIS after a free and fair election.

This is largely a ceremonial role for the Congress, one that sends the message to the world that democracy in the United States persists. But at a rally just a mile and a half down Pennsylvania Avenue, Donald Trump and his allies were stoking the anger of a violent mob.

A Member of this very body proclaimed on that stage: “Today is the day American patriots start taking down names and kicking ass.”

Trump's personal attorney, Rudy Giuliani, called for a “trial by combat.”

Then Donald Trump told the crowd: “We are going to have to fight much harder . . . you will never take back our country with weakness.”

Even though, according to his own administration that this election was the most secure in our history, Donald Trump repeated his big lie that this election was an egregious assault on democracy . . .

The signal was unmistakable: These thugs should stage a coup so Donald Trump can hang on to power. The people's will be damned.

This beacon of democracy became the site of a vicious attack. Rioters chanted, "Hang Mike Pence," as noose and gallows were built a stone's throw from the Capitol steps. Capitol police officers were beaten and sprayed with pepper spray. Attackers hunted down lawmakers to hold them hostage or worse. Staff barricaded doors. People sent text messages to their families to tell them they loved them. They thought they were saying good-bye, Mr. Speaker.

This was not a protest. This was an insurrection. This was a well-organized attack on our country that was incited by Donald Trump.

Domestic terrorists broke into the United States Capitol that day and it is a miracle more people didn't die. As my colleagues and I were being evacuated to safety, I never ever will forget what I saw when I looked into the eyes of those attackers right in the Speaker's lobby there. I saw evil, Mr. Speaker. Our country came under attack not from a foreign nation, but from within.

These were not protesters. These were not patriots. These were traitors. These were domestic terrorists, Mr. Speaker, and they were acting under the orders of Donald Trump.

Some of my colleagues on the other side have suggested that we just move on from this horror. But to gloss over it would be an abdication of our duty. Others on the Republican side have talked about unity. But we can't have unity without truth and without accountability . . .

Each of us took an oath last week. It wasn't to a party and it wasn't to a person. We vowed to defend the Constitution. The actions of Donald Trump have called each of us to fulfill that oath today. I pray that we rise to this responsibility because every moment Donald Trump is in the White House, our Nation and our freedom is in danger. He must be held to account for the attack on our Capitol that he organized and he incited.

I solemnly urge my colleagues to support this rule and the underlying article. The damage this building sustained can be repaired, Mr. Speaker; but if we don't hold Donald Trump accountable, the damage done to our Nation could be irreversible.

Mr. Speaker, I reserve the balance of my time.

SOURCE: Representative Jim McGovern. "Providing for Consideration of H. Res. 24, Impeaching Donald John Trump, President of the United States, for High Crimes and Misdemeanors." January 13, 2021. *Congressional Record—House*, H152. <https://www.govinfo.gov/content/pkg/CREC-2021-01-13/pdf/CREC-2021-01-13-house.pdf>.



Rep. McCarthy Addresses Impeachment Proceedings

January 13, 2021

Madam Speaker, I thank the gentleman for yielding.

Madam Speaker, let me be clear: Last week's violent attack on the Capitol was undemocratic, un-American, and criminal. Violence is never a legitimate form of protest. Freedom of speech and assembly under the Constitution is rooted in nonviolence. Yet the violent mob that descended upon this body was neither peaceful nor democratic. It acted to disrupt Congress' constitutional responsibility. It was also an attack on the people who work in this institution: Members, staff, and the hundreds who work behind the scenes so that we can serve the American people. . .

Some say the riots were caused by antifa. There is absolutely no evidence of that, and Conservatives should be the first to say so.

Conservatives also know that the only thing that stops mob violence is to meet it with force rooted in justice and backed by moral courage. Last week, we saw mob violence met by courage, sacrifice, and heroism from the brave men and women who protect this institution every day. But for the bravery of the Capitol Police, the destruction and loss could have been much greater. We owe them a tremendous debt of gratitude. . . .

Make no mistake, those who are responsible for Wednesday's chaos will be brought to justice, which brings me to today's debate. I believe impeaching the President in such a short timeframe would be a mistake. . . .

But here is what a vote to impeach would do. A vote to impeach would further divide this Nation. A vote to impeach will further fan the flames of partisan division.

Most Americans want neither inaction nor retribution. They want durable, bipartisan justice. That path is still available, but it is not the path we are on today.

That doesn't mean the President is free from fault. The President bears responsibility for Wednesday's attack on Congress by mob rioters. He should have immediately denounced the mob when he saw what was unfolding.

These facts require immediate action by President Trump: accept his share of responsibility, quell the brewing unrest, and ensure President-elect Biden is able to successfully begin his term.

And the President's immediate action also deserves congressional action, which is why I think a factfinding commission and a censure resolution would be prudent. Unfortunately, that is not where we are today. . . .

So, where do we go from here? After all the violence and chaos of the last week, it is important to remember that we are still here to deliver a better future for all Americans. It does not matter if you are liberal, moderate, or conservative; all of us must resist the temptations of further polarization. Instead, we must unite once again as Americans. . . .

The eyes of the Nation and the world are upon us. We must seize this opportunity and heal and grow stronger. As leaders, our place in history depends on whether we call on our better angels and refocus our efforts to work directly for the American people.

United, we can deliver the peace, strength, and prosperity our country desperately needs. Divided, we will fail.

What we saw last week was not the American way. Neither is the continued rhetoric that Joe Biden is not the legitimate President.

Let's be clear: Joe Biden will be sworn in as President of the United States in 1 week because he won the election. . . .

In these trying times, may God continue to bless America. Let's chart a course that history will repeat but not what is happening today.

SOURCE: Representative Kevin McCarthy. "Providing for Consideration of H. Res. 24, Impeaching Donald John Trump, President of the United States, for High Crimes and Misdemeanors." January 13, 2021. *Congressional Record—House*, H171-172. <https://www.govinfo.gov/content/pkg/CREC-2021-01-13/pdf/CREC-2021-01-13-house.pdf>.



Senate Receives Articles of Impeachment From House

January 25, 2021

117TH CONGRESS
1ST SESSION

H. RES. 24

IN THE SENATE OF THE UNITED STATES

JANUARY 25, 2021

Received

RESOLUTION

Impeaching Donald John Trump, President of the United States,
for high crimes and misdemeanors.

Resolved, That Donald John Trump, President of the United States, is impeached for high crimes and misdemeanors and that the following article of impeachment be exhibited to the United States Senate:

Article of impeachment exhibited by the House of Representatives of the United States of America in the name of itself and of the people of the United States of America, against Donald John Trump, President of the United States of America, in maintenance and support of its impeachment against him for high crimes and misdemeanors.

ARTICLE I: INCITEMENT OF INSURRECTION

The Constitution provides that the House of Representatives “shall have the sole Power of Impeachment” and that the President “shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other high Crimes and Misdemeanors”. Further, section 3 of the 14th Amendment to the Constitution prohibits any person who has “engaged in insurrection or rebellion against” the United States from “hold[ing] any office . . . under the United States”. In his conduct while President of the United States—and in violation of his constitutional oath faithfully to execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty to take care that the laws be faithfully executed—Donald John Trump engaged in high Crimes and Misdemeanors by inciting violence against the Government of the United States, in that:

On January 6, 2021, pursuant to the 12th Amendment to the Constitution of the United States, the Vice President of the United States, the House of Representatives, and the Senate met at the United States Capitol for a Joint Session of Congress to count the votes of the Electoral College. In the months preceding the Joint Session, President Trump repeatedly issued false statements asserting that the Presidential election results were the product of widespread fraud and should not be accepted by the American people or certified by State or Federal officials. Shortly before the Joint Session commenced, President Trump, addressed a crowd at the Ellipse in Washington, DC. There, he reiterated false claims that “we won this election, and we won it by a landslide”. He also willfully made statements that, in context, encouraged—and foreseeably resulted in—lawless action at the Capitol, such as: “if you don’t fight like hell you’re not going to have a country anymore”. Thus incited by President Trump, members of the crowd he had addressed, in an attempt to, among other objectives, interfere with the Joint Session’s solemn constitutional duty to certify the results of the 2020 Presidential election, unlawfully breached and vandalized the Capitol, injured and killed law enforcement personnel, menaced Members of Congress, the Vice President, and Congressional personnel, and engaged in other violent, deadly, destructive, and seditious acts.

President Trump’s conduct on January 6, 2021, followed his prior efforts to subvert and obstruct the certification of the results of the 2020 Presidential election. Those prior efforts included a phone call on January 2, 2021, during which President Trump urged the secretary of state of Georgia, Brad Raffensperger, to “find” enough votes to overturn

the Georgia Presidential election results and threatened Secretary Raffensperger if he failed to do so.

In all this, President Trump gravely endangered the security of the United States and its institutions of Government. He threatened the integrity of the democratic system, interfered with the peaceful transition of power, and imperiled a coequal branch of Government. He thereby betrayed his trust as President, to the manifest injury of the people of the United States.

Wherefore, Donald John Trump, by such conduct, has demonstrated that he will remain a threat to national security, democracy, and the Constitution if allowed to remain in office, and has acted in a manner grossly incompatible with self-governance and the rule of law. Donald John Trump thus warrants impeachment and trial, removal from office, and disqualification to hold and enjoy any office of honor, trust, or profit under the United States.

NANCY PELOSI,
Speaker of the House of Representatives.
Attest: CHERYL L. JOHNSON,
Clerk

SOURCE: U.S. Congress. *H. Res. 24*. Received in the Senate January 25, 2021. <https://www.congress.gov/117/bills/hres24/BILLS-117hres24rds.pdf>.



Sen. McConnell Remarks on Trump Acquittal

February 13, 2021

Mr. President, January 6 was a disgrace. American citizens attacked their own government. They used terrorism to try to stop a specific piece of domestic business they did not like. Fellow Americans beat and bloodied our own police. They stormed the Senate floor. They tried to hunt down the Speaker of the House. They built a gallows and chanted about murdering the Vice President. They did this because they had been fed wild falsehoods by the most powerful man on Earth because he was angry he lost an election.

Former President Trump's actions preceding the riot were a disgraceful—disgraceful—dereliction of duty.

The House accused the former President of “incitement.” That is a specific term from the criminal law.

Let me just put that aside for a moment and reiterate something I said weeks ago. There is no question—none—that President Trump is practically and morally responsible for provoking the events of the day. No question about it. The people who stormed this building believed they were acting on the wishes and instructions of their President, and having that belief was a foreseeable consequence of the growing crescendo of false statements, conspiracy theories, and reckless hyperbole which the defeated President kept shouting into the largest megaphone on planet Earth.

The issue is not only the President's intemperate language on January 6. It is not just his endorsement of remarks in which an associate urged “trial by combat.” It was also the entire manufactured atmosphere of looming catastrophe; the increasingly wild myths—myths—about a reverse landslide election that was somehow being stolen in some secret coup by our now-President.

Now, I defended the President's right to bring any complaints to our legal system. The legal system spoke. The electoral college spoke. As I stood up and said clearly at that time, the election was settled. It was over. But that just really opened a new chapter of even wilder—wilder—and more unfounded claims.

The leader of the free world cannot spend weeks thundering that shadowy forces are stealing our country and then feign surprise when people believe him and do reckless things.

Now, sadly, many politicians sometimes make overheated comments or use metaphors—we saw that—that unhinged listeners might take literally, but that was different. That is different from what we saw. This was an intensifying crescendo of conspiracy theories, orchestrated by an outgoing President who seemed determined to either overturn the voters' decision or else torch our institutions on the way out.

The unconscionable behavior did not end when the violence actually began. Whatever our ex-President claims he thought might happen that day, whatever reaction he says he meant to produce, by that afternoon, we know he was watching the same live television as the rest of us. A mob was assaulting the Capitol in his name. These criminals were carrying his banners, hanging his flags, and screaming their loyalty to him.

It was obvious that only President Trump could end this. He was the only one who could. Former aides publicly begged him to do so. Loyal allies frantically called the administration. The President did not act swiftly. He did not do his job. He didn't take steps so Federal law could be faithfully executed and order restored. No. Instead, according to public reports, he watched television happily—happily—as the chaos unfolded. He kept pressing his scheme to overturn the election.

Now, even after it was clear to any reasonable observer that Vice President Pence was in serious danger, even as the mob carrying Trump banners was beating cops and breaching perimeters, the President sent a further tweet attacking his own Vice President. Now, predictably and foreseeably under the circumstances, members of the mob seemed to interpret this as a further inspiration to lawlessness and violence, not surprisingly.

Later, even when the President did halfheartedly begin calling for peace, he didn't call right away for the riot to end. He did not tell the mob to depart until even later. And even then, with police officers bleeding and broken glass covering Capitol floors, he kept repeating election lies and praising the criminals.

In recent weeks, our ex-President's associates have tried to use the 74 million Americans who voted to reelect him as a kind of human shield against criticism—using the 74 million who voted for him as kind of a human shield against criticism. Anyone who decries his awful behavior is accused of insulting millions of voters. That is an absurd deflection. Seventy-four million Americans did not invade the Capitol. Hundreds of rioters did. Seventy-four million Americans did not engineer the campaign of disinformation and rage that provoked it. One person did it—just one.

Now, I have made my view of this episode very plain. But our system of government gave the Senate a specific task. The Constitution gives us a particular role. This body is not invited to act as the Nation's overarching moral tribunal. We are not free to work backward from whether the accused party might personally deserve some kind of punishment.

Justice Joseph Story was our Nation's first great constitutional scholar. As he explained nearly 200 years ago, the process of conviction is a narrow tool—a narrow tool—for a narrow purpose. Story explained this limited tool exists to “secure the state against gross official misdemeanors”; that is, to protect the country from government officers.

If President Trump were still in office, I would have carefully considered whether the House managers proved their specific charge. By the strict criminal standard, the President's speech probably was not incitement. However—however—in the context of impeachment, the Senate might have decided this was acceptable shorthand for the reckless actions that preceded the riot. But in this case, the question is moot because former President Trump is constitutionally not eligible for conviction.

Now, this is a close question, no doubt. Donald Trump was the President when the House voted, though not when the House chose to deliver the papers. Brilliant scholars argue both sides of this jurisdictional question. The text is legitimately ambiguous. I respect my colleagues who reached either conclusion.

But after intense reflection, I believe the best constitutional reading shows that article II, section 4 exhausts the set of persons who can legitimately be impeached, tried, or

convicted. It is the President. It is the Vice President and civil officers. We have no power to convict and disqualify a former office holder who is now a private citizen.

Here is article II, section 4: “The President, Vice President and all civil Officers of the United States, shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other high Crimes and Misdemeanors.”

Now, everyone basically agrees that the second half of that sentence exhausts the legitimate grounds for conviction. The debates around the Constitution’s framing make that abundantly clear. Congress cannot convict for reasons besides those. It therefore follows that the list of persons in that same sentence is also exhaustive. There is no reason why one list—one list—would be exhaustive but the other would not.

Article II, section 4 must limit both why impeachment and conviction can occur and to whom—and to whom. If this provision does not limit impeachment and conviction powers, then it has no limits at all. The House’s “sole power of Impeachment” and the Senate’s “sole Power to try all Impeachments” would create an unlimited circular logic, empowering Congress to ban any private citizen from Federal office.

Now, that is an incredible claim. But it is the argument the House managers seemed to be making. One manager said the House and Senate have “absolute, unqualified . . . jurisdictional power.” Well, that was very honest, because there is no limiting principle in the constitutional text that would empower the Senate to convict former officers that would not also let them convict and disqualify any private citizen—an absurd end result to which no one subscribes.

Article II, section 4 must have force. It tells us the President, the Vice President and civil officers may be impeached and convicted. Donald Trump is no longer the President.

Likewise, the provision states that officers subject to impeachment and conviction “shall be removed from Office if convicted”—“shall be removed from Office if convicted.”

As Justice Story explained, “the Senate, [upon] conviction, [is] bound in all cases, to enter a judgment of removal from office.” Removal is mandatory upon conviction. Clearly, he explained, that mandatory sentence cannot be applied to someone who has left office. The entire process revolves around removal. If removal becomes impossible, conviction becomes insensible.

In one light, it certainly does seem counterintuitive that an officeholder can elude Senate conviction by resignation or expiration of term—an argument we heard made by the managers. But this underscores that impeachment was never meant to be the final forum for American justice—never meant to be the final forum for American justice. Impeachment, conviction, and removal are a specific intragovernmental safety valve. It is not the criminal justice system, where individual accountability is the paramount goal.

Indeed, Justice Story specifically reminded that while former officials were not eligible for impeachment or conviction, they were—and this is extremely important—“still liable to be tried and punished in the ordinary tribunals of justice.”

Put another way, in the language of today, President Trump is still liable for everything he did while he was in office, as an ordinary citizen—unless the statute of limitations is run, still liable for everything he did while he was in office. He didn’t get away with anything yet—yet. We have a criminal justice system in this country. We have civil litigation, and former Presidents are not immune from being accountable by either one.

I believe the Senate was right not to grab power the Constitution doesn’t give us, and the Senate was right not to entertain some light-speed sham process to try to outrun the loss of jurisdiction.

It took both sides more than a week just to produce their pretrial briefs. Speaker PELOSI’s own scheduling decisions conceded what President Biden publicly confirmed: A Senate verdict before Inauguration Day was never possible.

Now, Mr. President, this has been a dispiriting time, but the Senate has done our duty. The Framers’ firewall held up again. On January 6, we returned to our post and certified the election. We were uncowed. We were not intimidated. We finished the job. And, since then, we resisted the clamor to define our own constitutional guardrails in hot pursuit of

a particular outcome. We refused to continue a cycle of recklessness by straining our own constitutional boundaries in response.

The Senate's decision today does not condone anything that happened on or before that terrible day. It simply shows that Senators did what the former President failed to do: We put our constitutional duty first.

SOURCE: Senator Mitch McConnell. "Impeachment." February 13, 2021. *Congressional Record—Senate*, S735–736. <https://www.govinfo.gov/content/pkg/CREC-2021-02-13/pdf/CREC-2021-02-13-senate.pdf>.



Sen. Collins Defends Vote to Convict Trump

February 13, 2021

The hallmark of our American democracy is the peaceful transfer of power after the voters choose their leaders. In America, we accept election results even if our candidate does not prevail. If a candidate believes that there is fraud, the courts can hear and decide those issues. Otherwise, the authority to govern is vested in the duly elected officials.

On January 6, this Congress gathered in the Capitol to count the votes of the Electoral College pursuant to the process set forth in the 12th Amendment to the Constitution. At the same time, a mob stormed the Capitol determined to stop Congress from carrying out our constitutional duty. That attack was not a spontaneous outbreak of violence. Rather, it was the culmination of a steady stream of provocations by President Trump that were aimed at overturning the results of the presidential election.

The President's unprecedented efforts to discredit the election results did not begin on January 6. Rather, he planted the seeds of doubt many weeks before votes were cast on November 3. He repeatedly told his supporters that only a "rigged election" could cause him to lose. Thus began President Trump's crusade to undermine public confidence in the presidential election—unless he won.

Early on the morning of November 4, as the ballots continued to be counted, President Trump claimed victory and asserted that Democrats were trying to "steal" the election. On November 8, the day after several media outlets had declared Joe Biden the apparent winner based on state-by-state results, President Trump tweeted "this was a stolen election." With that, his post-election campaign to change the outcome began.

Over the ensuing days and months, the President distorted the results of the election, continuing to claim that he had won while court after court threw out his lawsuits and states continued to certify their results. President Trump's falsehoods convinced a large number of Americans that he had won and that they were being cheated.

The President also embarked on an incredible effort to pressure state election officials to change the results in their states. . . .

Having failed to persuade the courts and state election officials, President Trump next began to pressure Vice President Mike Pence to use his role under the 12th Amendment to overturn the election. The President met with Vice President Pence on January 5, then increased the pressure by tweeting hours later: If the Vice President "comes through for us, we will win the Presidency." That's what his Tweet said.

Vice President Pence, however, refused to yield. He issued a public letter on January 6 making clear that his "oath to support and defend the Constitution" would prevent him from unilaterally deciding "which electoral votes should be counted and which should not."

During his speech at the Ellipse on January 6, President Trump kept up that drumbeat of pressure on Vice President Pence. In front of a large, agitated crowd, he urged the Vice President to "stand up for the good of our Constitution."

"I hope Mike has the courage to do what he has to do," President Trump concluded.

Rather than facilitating the peaceful transfer of power, President Trump was telling Vice President Pence to ignore the Constitution and to refuse to count the certified votes. He was also further agitating the crowd, directing them to march to the Capitol.

In this situation, context was everything. Tossing a lit match into a pile of dry leaves is very different from tossing it into a pool of water.

And on January 6, the atmosphere among the crowd outside the White House was highly combustible, largely the result of an ill wind blowing from Washington for the past two months. . . .

That set the stage for the storming of the Capitol for the first time in more than 200 years. . . .

Instead of preventing a dangerous situation, President Trump created one. And rather than defend the constitutional transfer of power, he incited an insurrection with the purpose of preventing that transfer of power from occurring. Whether by design or by virtue of a reckless disregard for the consequences of his actions, President Trump, subordinating the interests of the country to his own selfish interests, bears significant responsibility for the invasion of the Capitol.

This impeachment trial is not about any single word uttered by President Trump on January 6, 2021. It is instead about President Trump's failure to obey the oath he swore on January 20, 2017. His actions to interfere with the peaceful transition of power—the hallmark of our Constitution and our American democracy—were an abuse of power and constitute grounds for conviction.

Two arguments have been made against conviction that deserve comment. The first is that this was a 'snap impeachment,' that the House failed to hold hearings, conduct an investigation, and interview witnesses. And that is true. Without a doubt, the House should have been more thorough. It should have compiled a more complete record. Nevertheless, the record is clear that the President, President Trump, abused his power, violated his oath to uphold the Constitution, and tried almost every means in his power to prevent the peaceful transfer of authority to the newly elected President.

Second is the contention that the First Amendment protects the President's right to make any sort of outrageous and false claims, no matter the consequences. But the First Amendment was not designed and has never been construed by any court to bar the impeachment and conviction of an official who violates his oath of office by summoning and inciting a mob to threaten other officials in the discharge of their constitutional obligations.

My vote in this trial stems from my own oath and duty to defend the Constitution of the United States. The abuse of power and betrayal of his oath by President Trump meet the constitutional standard of 'high crimes and misdemeanors,' and for those reasons I voted to convict Donald J. Trump.

SOURCE: Office of Senator Susan Collins. "Senator Collins Delivers Remarks on Impeachment Article." February 13, 2021. <https://www.collins.senate.gov/newsroom/senator-collins-delivers-remarks-impeachment-article>.



Sen. Schumer Votes to Convict Trump

February 13, 2021

Mr. President, the case of Donald Trump's second impeachment trial was open and shut. President Trump told a lie—a big lie—that the election was stolen and that he was the rightful winner. He laid the groundwork for this big lie in the months before the election. He told the big lie on election night, and he repeated the big lie more than 100 times in the weeks afterward.

He summoned his supporters to Washington, assembled them on the Ellipse, whipped them into a frenzy, and directed them at the Capitol. Then he watched as the violence unfolded and the Capitol was breached and his own Vice President fled for his life, and President Trump did nothing.

None of these facts were up for debate. We saw it. We heard it. We lived it. This was the first Presidential impeachment trial in history in which all Senators were not only judges and jurors but witnesses to the constitutional crime that was committed. The former President inspired, directed, and propelled a mob to violently prevent the peaceful transfer of power, subvert the will of the people, and illegally keep that President in power. There is nothing—nothing—more un-American than that. There is nothing—nothing—more antithetical to our democracy. There is nothing—nothing—more insulting to the generations of American patriots who gave their lives to defend our form of government.

This was the most egregious violation of the Presidential oath of office and a textbook example, a classic example of an impeachable offense, worthy of the Constitution's most severe remedy.

In response to the incontrovertible fact of Donald Trump's guilt, the Senate was subject to a feeble and sometimes incomprehensible defense of the former President. Unable to dispute the case on the merits, the former President's counsel treated us to partisan vitriol, false equivalence, and outright falsehoods.

We heard the roundly debunked jurisdictional argument that the Senate cannot try a former official, a position that would mean that any President could simply resign to avoid accountability for an impeachable offense, a position which, in effect, would render the Senate powerless to ever enforce the disqualification clause in the Constitution. Essentially, the President's counsel told the Senate that the Constitution was unconstitutional. Thankfully, the Senate took a firm stance, set a firm precedent with a bipartisan vote in favor of our power to try former officials for acts they committed while in office.

We heard the preposterous claim that the former President's incitement to violence was protected by the First Amendment. The First Amendment right to free speech protects Americans from jail, not Presidents from impeachment. If the President had said during World War II, "Germany should attack the United States on Long Island; we have left it undefended," I suspect Congress would have considered that an impeachable offense.

Finally, defense counsel said that President Trump was not directly responsible for the violence at the Capitol: His words were merely a metaphor; his directions were merely suggestions; and the violent mob was just a spontaneous demonstration.

Yet wind the clock back, and ask yourself, if at any point Donald Trump did not do the things he did, would the attack on the Capitol have happened? There is only one answer to this question: Of course not. If President Trump hadn't told his supporters to march to the Capitol, if he hadn't implored them to come to Washington on January 6 in the first place, if he hadn't repeatedly lied to them that the election was stolen and their country was being taken from them, the attack would not have happened, could not have happened. January 6 would not have happened but for the actions of Donald Trump.

Here is what the Republican leader of the Senate said: The mob that perpetrated the "failed insurrection" on January 6 "was provoked by President Trump." Do you want another word for "provoke"? How about "incite"? Yet still—still—the vast majority of the Senate Republican caucus, including the Republican leader, voted to acquit former President Trump, signing their names in the columns of history alongside his name forever.

January 6 will live as a day of infamy in the history of the United States of America. The failure to convict Donald Trump will live as a vote of infamy in the history of the U.S. Senate.

Five years ago, Republican Senators lamented what might become of their party if Donald Trump became their Presidential nominee and standard-bearer. Just look at what has happened. Look at what Republicans have been forced to defend. Look at what Republicans have chosen to forgive. The former President tried to overturn the results of a legitimate election and provoked an assault on our own government, and well over half the Senate Republican conference

decided to condone it—the most despicable act that any President has ever committed, and the majority of Republicans cannot summon the courage or the morality to condemn it.

This trial wasn't about choosing country over party, even not that; this was about choosing country over Donald Trump, and 43 Republican Members chose Trump. They chose Trump. It should be a weight on their conscience today, and it shall be a weight on their conscience in the future.

As sad as that fact is, as condemnable as the decision was, it is still true that the final vote on Donald Trump's conviction was the largest and most bipartisan vote of any Presidential impeachment trial in American history.

I salute those Republican patriots who did the right thing. It wasn't easy. We know that. Let their votes be a message to the American people because, my fellow Americans, if this Nation is going to long endure, we as a people cannot sanction the former President's conduct, because if lying about the results of an election is acceptable, if instigating a mob against the government is considered permissible, if encouraging political violence becomes the norm, it will be open season—open season—on our democracy, and everything will be up for grabs by whoever has the biggest clubs, the sharpest spears, the most powerful guns. By not recognizing the heinous crime that Donald Trump committed against the Constitution, Republican Senators have not only risked but potentially invited the same danger that was just visited upon us.

So let me say this: Despite the results of the vote on Donald Trump's conviction in the Court of Impeachment, he deserves to be convicted, and I believe he will be convicted in the court of public opinion. He deserves to be permanently discredited, and I believe he has been discredited in the eyes of the American people and in the judgment of history.

Even though Republican Senators prevented the Senate from disqualifying Donald Trump for any office of honor, trust, or profit under these United States, there is no question Donald Trump has disqualified himself. I hope, I pray, and I believe that the American people will make sure of that. If Donald Trump ever stands for public office again, and after everything we have seen this week, I hope, I pray, and I believe that he will meet the unambiguous rejection by the American people.

Six hours after the attack on January 6, after the carnage and mayhem was shown on every television screen in America, President Trump told his supporters to "Remember this day forever." I ask the American people to heed his words. Remember that day forever but not for the reasons the former President intended. Remember the panic in the voices over the radio dispatch, the rhythmic pounding of fists and flags at the Chamber doors. Remember the crack of a solitary gunshot. Remember the hateful and racist Confederate flag flying through the halls of our Union. Remember the screams of the bloody officer crushed between the onrushing mob and a doorway to the Capitol, his body trapped in the breach. Remember three Capitol Police officers who lost their lives. Remember that those rioters actually succeeded in delaying Congress from certifying the election. Remember how close our democracy came to ruin.

My fellow Americans, remember that day, January 6, forever, the final, terrible legacy of the 45th President of the United States and undoubtedly our worst. Let it live on in infamy, a stain on Donald John Trump that can never, never be washed away.

On Monday we will recognize Presidents Day. Part of the commemoration in the Senate will be the annual reading of Washington's Farewell Address. Aside from winning the Revolutionary War, I consider it his greatest contribution to American civil life, and it had nothing to do with the words he spoke but the example it set.

Washington's Farewell Address established for all time that no one had the right to the Office of the Presidency, that it belonged to the people. What an amazing legacy. What an amazing gift to the future generations, the knowledge that this country will always be greater than any one person, even our most renowned. That is why Members of both parties take turns reading Washington's address once a year in full into the RECORD, to pledge common attachment to the selflessness at the core of our democratic system.

This trial was about the final acts of a President who represents the very antithesis of our first President and sought to place one man before the entire country: himself.

Let the record show—let the record show before God, history, and the solemn oath we swear to the Constitution that there was only one correct verdict in this trial: guilty. And I

pray that while justice was not done in this trial, it will be carried forward by the American people, who, above any of us in this Chamber, determine the destiny of our great Nation.
I yield the floor.

SOURCE: Senator Chuck Schumer. “Impeachment.” February 13, 2021. *Congressional Record—Senate*, S734–735. <https://www.govinfo.gov/content/pkg/CREC-2021-02-13/pdf/CREC-2021-02-13-senate.pdf>.



President Biden Issues Statement on Trump Acquittal

February 13, 2021

It was nearly 2 weeks ago that Jill and I paid our respects to Capitol Police officer Brian Sicknick, who laid in honor in the Rotunda after losing his life protecting the Capitol from a riotous, violent mob on January 6, 2021.

Today 57 Senators—including a record 7 Republicans—voted to find former President Trump guilty for inciting that deadly insurrection on our very democracy. The Senate vote followed the bipartisan vote to impeach him by the House of Representatives. While the final vote did not lead to a conviction, the substance of the charge is not in dispute. Even those opposed to the conviction, like Senate Minority Leader McConnell, believe Donald Trump was guilty of a “disgraceful dereliction of duty” and “practically and morally responsible for provoking” the violence unleashed on the Capitol.

Tonight I am thinking about those who bravely stood guard that January day. I’m thinking about all those who lost their lives, all those whose lives were threatened, and all those who are still today living with terror they lived through that day. And I’m thinking of those who demonstrated the courage to protect the integrity of our democracy—Democrats and Republicans, election officials and judges, elected representatives and poll workers—before and after the election.

This sad chapter in our history has reminded us that democracy is fragile. That it must always be defended. That we must be ever vigilant. That violence and extremism has no place in America. And that each of us has a duty and responsibility as Americans, and especially as leaders, to defend the truth and to defeat the lies.

That is how we end this uncivil war and heal the very soul of our Nation. That is the task ahead. And it’s a task we must undertake together. As the United States of America.

SOURCE: Executive Office of the President. “Statement on the Senate Vote in the Impeachment Trial of Former President Donald J. Trump.” February 13, 2021. *Compilation of Presidential Documents* 2021, no. 00142 (February 13, 2021). <https://www.govinfo.gov/content/pkg/DCPD-202100142/pdf/DCPD-202100142.pdf>.

OTHER HISTORIC DOCUMENTS OF INTEREST

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- January 6 Panel Holds First Hearings and Issues Subpoenas, p. 546

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- Biden Calls for Unity in Acceptance Speech; Trump Rejects Election Outcome Alleging Fraud, 2020, p. 629
- Courts Reject Trump Election Challenges, 2020, p. 698

Global Response to Political Situation in Uganda, Niger, and Tanzania

JANUARY 13, FEBRUARY 23, APRIL 13, AND APRIL 16, 2021

Several political developments across Africa drew the attention of international officials in the early months of 2021. In Uganda, a disputed election brought President Yoweri Museveni a sixth term in office amid swirling allegations of human rights abuses and election fraud. Niger, by contrast, celebrated its first peaceful transfer of power in more than fifty years following the second round of voting in its presidential election. In Tanzania, a nation mourned the loss of President John Magufuli but soon inaugurated its first female president.

DISPUTED ELECTION IN UGANDA

In Uganda, the year began with a presidential election marked by police violence, alleged human rights abuses, and accusations of vote rigging. The country, which has not experienced a peaceful transfer of power since it gained independence from Britain in 1962, scheduled its presidential poll for January 14, 2021. Incumbent president Museveni sought a sixth term in office, campaigning on a promise of continued peace, prosperity, and stability. (Museveni has been in office since 1986, when he came to power following an armed uprising.) He faced ten challengers, the most prominent of whom was Robert Kyagulanyi, a thirty-eight-year-old former pop star more commonly known as Bobi Wine, who had been serving in parliament since 2017. Wine's campaign focused on social justice issues and pledges to ensure Ugandans had basic needs like healthcare, education, and access to clean water. His candidacy drew support from many younger Ugandans, particularly in urban areas.

In the months preceding the election, Wine, other opposition members, and international observers raised serious concerns about government actions perceived as an effort to suppress Wine's support. The government banned campaign rallies in cities, where Wine had more supporters, claiming this was a necessary precaution against the further spread of COVID-19. Wine was also arrested several times on charges ranging from violating COVID-19 restrictions to treason, although he was never convicted. One Wine arrest in November 2020 prompted riots across Uganda. More than fifty people were killed in the police crackdown that followed. Members of Wine's campaign staff were also arrested, and criminal charges were brought against nearly fifty of his associates and supporters. On January 13, the government shut down Internet service across the country. Ofwono Opondo, a government spokesperson, said social media sites in particular had been deemed a possible threat to the election because "disinformation had started" with the intent "to undermine the credibility of the results." Notably, the shutdown occurred after Facebook removed several accounts linked to Museveni and his campaign for what the company described as coordinated "inauthentic" behavior.

These actions prompted United Nations (UN) secretary-general António Guterres to call on “all national stakeholders to ensure that the polls are conducted in an inclusive, transparent and peaceful manner” and urged “political actors and their supporters to refrain from the use of hate speech, intimidation and violence.” Expressing concerns about “reports of violence and tensions in parts of Uganda,” Guterres also called on security forces to “show maximum restraint” and act in a manner consistent with established human rights principles.

An anticipated lack of independent election monitors further raised concerns about the poll’s legitimacy. The European Union reportedly chose to not send observers because Uganda had ignored past recommendations to make its elections fairer. The Ugandan government also declined to approve credentials for many other observers, including those to be sent by the United States. On January 13, U.S. ambassador to Uganda Natalie Brown announced the cancellation of the United States’ “diplomatic observation” because Uganda’s Electoral Commission had denied “more than 75 percent of the U.S. election observer accreditations request.” Noting that the commission did not provide a reason for the rejections, Brown said it would not be possible for the United States to “meaningfully observe” the election with only fifteen approved accreditations. Brown further expressed concerns about the commission’s denial of accreditation requests from other diplomatic missions, as well as many Ugandan observers. “Absent the robust participation of observers, particularly Ugandan observers who are answerable to their fellow citizens, Uganda’s elections will lack the accountability, transparency and confidence that observer missions provide,” she said.

On January 16, the Ugandan Electoral Commission declared Museveni the winner with 59 percent of the vote; Wine received about 39 percent of the vote. The commission reported that 57 percent of Uganda’s 18 million registered voters turned out to cast their ballots. Wine immediately rejected the outcome, reiterating allegations of voter intimidation and ballot stuffing that had been raised throughout election day. He also claimed that representatives of his campaign were arrested by the government and thereby prevented from observing activities at polling stations. Wine’s campaign said they would provide evidence of their claims as soon as Internet access was restored, and they could share videos and photos. More than thirty election observers were reportedly arrested during the poll. Wine himself was effectively placed under house arrest for twelve days following the vote. The Ugandan police claimed this was necessary for Wine’s own protection. For his part, Museveni declared the election to be the “most cheating-free” in the country’s history and that the use of voting machines “made sure there is no cheating.” He did promise to conduct an audit of the results to ensure their accuracy, but he also warned against “foreign meddling.” (Museveni had previously called Wine’s supporters “agents of foreign schemes.”)

While many international observers were absent for the vote, the Africa Elections Watch coalition deployed more than 2,000 poll watchers across the country. Reporting their findings on January 19, the coalition said it had documented “widespread violations of human rights as well as deliberate disregard of the electoral process.” The group cited the “arbitrary arrest and illegal detention of 223 people” following the election, as well as “continued abductions and intimidation of opposition agents and human rights defenders.” It also reported evidence of voting irregularities such as the delayed delivery of election materials at some polling stations, “reports of party agents being rejected at polling stations, and being intimidated in others,” and a failure of biometric voter verification kits.

Allegations of human rights abuses against opposition members persisted into the spring. On April 13, UN human rights experts expressed alarm over reports of

“widespread and continued repression against opposition leaders and their supporters.” The experts cited allegations of extrajudicial killings, arbitrary arrests, forced disappearances, torture, and a lack of due process as some of the causes for their concern.

FIRST PEACEFUL TRANSFER OF POWER IN NIGER

Elections in Niger provided a stark contrast to the Ugandan poll. The campaign to replace President Mahamadou Issoufou began late in 2020, with a first round of voting scheduled for December 27. Thirty candidates were approved to participate in the election, in which national security was a key issue. Western Niger has been a hotbed of Islamic extremist violence in recent years, with Islamic State in the Levant and al Qaeda-linked groups launching repeated attacks in areas that border conflict-ridden Mali and Burkina Faso. Two such attacks occurred during the election cycle: On January 2, a suspected jihadist raid on villages near the Mali border killed an estimated 100 people. Then on election day, seven poll workers were killed when their vehicle hit a landmine on the way to a polling location. According to the UN, more than 90,000 people have been displaced from western Niger since 2018 as a result of extremist activity.

From the thirty possible candidates, two emerged as leading contenders following the December vote. Mohamed Bazoum, a former interior minister representing Issoufou's political party, the Nigerian Party for Democracy and Socialism, received 39 percent of the vote. Mahamane Ousmane came in second with 17 percent of the vote. Ousmane was Niger's first democratically elected president; he was removed from office in 1996 by a coup. All other candidates received less than 10 percent of the vote. Since neither Bazoum nor Ousmane received a majority of votes, a second-round runoff vote was scheduled for February 21, 2021. The electoral commission declared Bazoum the winner with about 56 percent of the vote to Ousmane's 44 percent. “I am profoundly thankful to the people of Niger for the confidence they have shown by electing me president of the republic,” tweeted Bazoum. “I will be a loyal servant to it to confront all the problems that our country faces.”

Ousmane disputed the outcome, claiming that ballot boxes had been stolen and that voter intimidation and ballot stuffing had also been used to manipulate the vote. “We demand the immediate suspension of the publication of these results, which do not in any way take into account the expressed will of the Nigerien people for change,” Ousmane's campaign manager said in a statement. Ousmane's supporters protested in the capital, Niamey, for several days, but were dispersed by police using tear gas.

Ousmane's campaign did not provide evidence for their claims, which seemed to conflict with reports by independent election observers. The Economic Community of West African States (ECOWAS) deployed monitors at 385 polling locations across Niger. In a preliminary report from its observation mission, ECOWAS concluded, “Voters exercised their constitutional right by voting for their preferred candidate under free, fair, credible and transparent conditions.” All but two of the locations the monitors visited opened on time, and most polling stations had candidate representatives present for voting, the group wrote. Observers noted a “lack of the mastery of the voting procedures” at a few polling stations but also said there was “significant improvement” in voting procedures over the first round. “The sorting, counting and tallying of the ballots, as well as the publication of results at the polling stations, were carried out professionally and transparently,” it added.

The 2021 election marked the first peaceful transfer of power in Niger since 1960.

TANZANIA LOSES A LEADER

Tanzania also experienced a change in leadership during the year, though not due to an election. President John Magufuli died on March 17 at age sixty-one from heart complications. In announcing his passing, Vice President Samia Suluhu Hassan said Magufuli had suffered from atrial fibrillation for more than ten years. This directly countered swirling rumors—fueled in part by the political opposition—that the president had contracted and died from COVID-19. Magufuli was a pandemic skeptic who dismissed the mask requirements and lockdowns adopted by neighboring countries as unnecessary and economically harmful. He claimed COVID-19 could be treated through prayers and herbal steam therapy, famously declaring Tanzania to be “COVID-19 free” in June 2020 after three days of national prayer. Magufuli also believed COVID-19 vaccines were a ploy by Western governments to deprive Africa of its wealth.

Beyond his eccentric stance on the pandemic, Magufuli faced criticism for his increasing adoption of autocratic measures the longer he remained in office. Some media outlets were suspended by his government, and various reports indicated that opposition leaders had been arrested and political rallies suppressed. The results of the 2020 election, in which Magufuli won a second term, were also disputed by opposition members. However, Magufuli is credited with maintaining stability, fighting corruption, and slashing public spending in Tanzania. Speaking at a UN General Assembly tribute for the late president, Secretary-General Guterres highlighted Magufuli’s notable achievements, including major investments in infrastructure and industrialization that enabled Tanzania to reach “its ambition of becoming a middle-income country four years ahead of its 2025 goal.” Magufuli also helped “strengthen the education system and increase the enrolment rates of new students into secondary schools,” in addition to improving “rural electrification . . . with ambitions to expand Tanzania’s electricity generation capacity to enable nationwide energy access,” he said.

Hassan was sworn in as Magufuli’s replacement on March 19, becoming the first female president in Tanzania’s history and one of only ten women to lead an African nation. By law, she will complete Magufuli’s term, which ends in 2025. “This is the time to stand together and get connected. It’s time to bury our differences, show love to one another and look forward with confidence,” Hassan said at her inauguration. “It is not the time to point fingers at each other but to hold hands and move forward to build the new Tanzania that President Magufuli aspired to.” Hassan later nominated Dr. Philip Mpango to serve as the new vice president. At the time, Mpango was serving as the minister for finance and planning, an office he had held since 2015. Parliament approved the nomination on March 30, and Mpango was sworn in the following day.

While Hassan is a loyal supporter of Magufuli’s, she has already signaled several breaks with the late president. Regarding COVID-19, Hassan has said it is “not proper to ignore” the pandemic and has announced a new COVID-19 task force to advise the government on appropriate “remedies” and policies. “We cannot accept everything as it comes,” she said, “but we also cannot isolate ourselves as an island while the world is moving in a different direction.” Hassan has also lifted the suspension of several media outlets. “We should not give any room to say that we are suppressing media freedom. . . . We should not use force to ban media platforms,” she said.

—Linda Grimm

Following is a statement issued by United Nations secretary-general António Guterres on January 13, 2021, raising concerns ahead of the Ugandan election; a statement by U.S. ambassador to Uganda Natalie Brown on January 13, 2021, announcing the cancelation of the U.S. observer mission to Uganda; the Economic Community of West African States (ECOWAS) preliminary report on the Niger election, issued February 23, 2021; a press release issued by the UN Office of the High Commissioner for Human Rights on April 13, 2021, expressing concerns about alleged human rights abuses in Uganda; and remarks by Guterres on April 16, 2021, during a UN General Assembly tribute to late Tanzanian president John Magufuli.



United Nations Secretary-General Remarks on Ugandan Elections

January 13, 2021

As Ugandans prepare to take part in the presidential and parliamentary elections scheduled to take place on 14 January, the Secretary-General calls on all national stakeholders to ensure that the polls are conducted in an inclusive, transparent and peaceful manner. He is concerned about reports of violence and tensions in parts of Uganda ahead of these polls and calls on all political actors and their supporters to refrain from the use of hate speech, intimidation and violence. Any electoral disputes should be resolved through legal and peaceful means.

The Secretary-General further calls on the Ugandan authorities, particularly the security forces, to show maximum restraint during this period and act according to established human rights principles.

The Secretary-General reiterates the commitment of the United Nations to support the country's efforts to promote sustainable development and build a prosperous future.

SOURCE: United Nations. "Statement Attributable to the Spokesperson for the Secretary-General—on Uganda." January 13, 2021. <https://www.un.org/sg/en/content/sg/statement/2021-01-13/statement-attributable-the-spokesperson-for-the-secretary-general-uganda>.



U.S. Ambassador to Uganda Announces End of Election-Related Diplomatic Observer Mission

January 13, 2021

It is with profound disappointment that I announce U.S. Mission in Uganda's decision to cancel our diplomatic observation of Uganda's January 14 elections due to the decision by

the Electoral Commission of Uganda to deny more than 75 percent of the U.S. election observer accreditations requested. With only 15 accreditations approved, it is not possible for the United States to meaningfully observe the conduct of Uganda's elections at polling sites across the country.

Despite multiple requests, the Electoral Commission provided no explanation for its decision, which it communicated mere days before the elections. The purpose of a diplomatic observation of elections is to demonstrate our interest in a free, fair, peaceful, and inclusive electoral process. Diplomatic observers are not participants or advisors in the electoral process. Rather, they informally observe the conduct of elections, following strict standards of impartiality, non-interference, and compliance with local laws. The Government of Uganda has supported such U.S. observer efforts in multiple previous Ugandan elections. This makes the decision now to deny accreditation to all but a small, randomly selected handful of our observers all the more troubling.

As we have stated previously, the United States takes no side in Uganda's upcoming elections. We support a free, fair, peaceful, and inclusive electoral process. For Uganda's 2016 elections, the U.S. Mission dispatched 88 diplomatic election observers. For the January 14 election, the U.S. Mission complied with all Electoral Commission accreditation requirements, as we had in previous elections in Uganda, but the vast majority of our requests for 2021 were not approved.

We are further concerned by reports that the Electoral Commission has denied accreditation requests from members of other diplomatic missions and large numbers of Ugandan observers. Numerous civil society organizations planned to observe the elections, but many have not heard back from the Electoral Commission on their accreditation applications. Among those civil society organizations which already had organizational accreditation, the vast majority of their individual observers have not yet—two days ahead of elections—received accreditation badges. Absent the robust participation of observers, particularly Ugandan observers who are answerable to their fellow citizens, Uganda's elections will lack the accountability, transparency and confidence that observer missions provide. Uganda will also miss the opportunity to benefit from observers' insights to improve and inform future elections.

SOURCE: U.S. Embassy in Uganda. "Statement by U.S. Ambassador Natalie E. Brown on Cancellation of U.S. Diplomatic Observer Mission of Uganda's Elections." January 13, 2021. <https://ug.usembassy.gov/statement-by-u-s-ambassador-natalie-e-brown-on-cancellation-of-u-s-diplomatic-observer-mission-of-ugandas-elections>.



ECOWAS Releases Preliminary Declaration on Election in Niger

February 23, 2021

Introduction

1. The first round of the presidential election in Niger was held on Sunday, December 27, 2020. On Saturday, January 30, 2021, the Constitutional Court of Niger validated the

results of the election . . . Based on the validation by the Constitutional Court, the candidates of the ruling party, PNDA, Tarayya Bazoum Mohamed came first with 39.30% and was followed by the candidate of RDR, Tchanji Mahamane Ousmane with 16.98%.

2. Given these results, the Constitutional Court confirmed Bazoum Mohamed and Mahamae Ousmane were eligible for the run-off scheduled for 21 February 2021.

3. In conformity with the relevant provisions of the ECOWAS Supplementary Protocol on Democracy and Good Governance (2001), the 2008 ECOWAS Conflict Prevention Framework, and the legal texts governing the electoral process in the Republic of Niger, His Excellency Jean-Claude Kassi Brou, President of the ECOWAS Commission, deployed an Electoral Observation Mission (EOM) for the 21 February 2021 run-off elections.

4. The Mission is led by H.E. Mohamed Namadi Sambo, former Vice-President of the Federal Republic of Nigeria and supported by an ECOWAS technical team led by General Francis BEHANZIN, Commissioner in charge of Political Affairs, Peace and Security and Mrs Liliane ALAPINI, ECOWAS Permanent Representative to the Republic of Niger.

5. The 92-member Observer Mission is composed of Ambassadors of ECOWAS Member States accredited to the ECOWAS Commission, Members of the ECOWAS Parliament and the Court of Justice. It also includes experts drawn from the relevant Ministries and Electoral Management Bodies of Member States, Civil Society Organisations, including security and media experts.

II. SUPPORT TO THE ELECTORAL PROCESS

6. The ECOWAS Commission through the Office of its Permanent Representation in Niger and its Early Warning and Early Response Mechanism closely monitored the political trends and security situation in the country following the first round of the election [u]p to the deployment of the Election Observation Mission for the run-off elections.

III. ARRIVAL OF THE HEAD OF MISSION, CONSULTATIONS AND DEPLOYMENT OF THE OBSERVERS

7. Upon arrival in Niamey, the Head of Mission, **H.E. Mohamed Namadi SAMBO**, paid a courtesy visit to the President of the Republic, **H.E. Mahamadou ISSOUFOU**. The President thanked the ECOWAS Commission for its support to the ongoing electoral process in Niger and reiterated his commitment to the conduct of a credible and inclusive election. The Mission held consultations with various stakeholders, including the Prime Minister of the Republic, the President and Commissioners of the Independent National Electoral Commission (CENI), members of the diplomatic corps accredited to the Republic of Niger, as well as Mr. Bazoum Mohamed of the PNDS and the members of the campaign teams of Mr. Mahamane Ousmane of RDR.

8. The Mission particularly notes the commitment of the stakeholders to conduct free, fair, credible and transparent election and solicited the cooperation of all political actors to ensure a smooth and peaceful run-off election that would produce the country's first civilian to civilian democratic transition.

9. After a briefing and orientation session conducted on 19 February 2021, the ECOWAS observers were deployed in five (5) regions of the country, with the exception of Zinder, Agadez and Diffa regions due to logistical and operational challenges.

10. On election day, the observers visited 385 polling stations in the regions and maintained regular contact with the mission's situation room based in Niamey.

IV. OBSERVATION

OPENING, VOTING PROCESS AND VOTE COUNTING

11. Having analysed the information provided to the Situation Room by the observers deployed in the field, and following a debriefing session with the observers upon their return from the field, the Mission noted the following:

- a. Most polling stations visited opened between 8:00 AM and 8:45 AM, with the exception of the polling centres of Medersa Sabon Gari Primary School and CES Sabon Gari in the Birnin N'Konni district, where voting started after 9:30 AM. This delay was due to the late arrival of the candidates' representatives in these polling stations.
- b. In most of the polling stations visited, voting began in the presence of the representatives of the candidates of PNDS and RDR.
- c. The security arrangements for the second round were reinforced in most polling stations. The Election Observation Mission encourages and commends the Security Authorities.
- d. The mission observed considerable mobilization youth and women voters. However, the Mission observed a lower voter turnout compared to the first round of the election . . .
- f. The lack of the mastery of the voting procedures was observed in a few polling stations as in the first round. However significant improvement in the voting procedures was generally observed in most polling stations visited.
- g. The sorting, counting and tallying of the ballots, as well as the publication of results at the polling stations, were carried out professionally and transparently in accordance with the provisions of the Electoral Code and related texts, in the presence of the agents of candidates Bazoum Mohamed of PNDS TARAYYA and Mahamane Ousmane, candidate of RDR TCHANJI.

V. PRELIMINARY CONCLUSION

12. Based on the analysis of the reports submitted by the observers deployed in the field, the ECOWAS Electoral Observation Mission makes the following preliminary conclusions:

- Preparations for the 21 February 2021 run-off presidential election, the election campaign, the voting process on Election Day, and the sorting, counting and tallying of the ballots were generally conducted under a peaceful atmosphere.
- The electoral officers and security agents displayed professionalism in their conduct.
- The Mission notes the considerable participation of youths and women in the electoral process.
- Voters exercised their constitutional right by voting for their preferred candidate under free, fair, credible and transparent conditions.

- Meanwhile, the Mission deeply regretted the unfortunate incident that occurred on Election Day, in Dargol, in the Tillaberi region, in which seven (07) electoral officials lost their lives and three (03) were injured and are still in critical condition. The Mission presents its deepest condolences to the bereaved families and the entire people of Niger, and wishes the injured a speedy recovery.

13. The ECOWAS Electoral Observation Mission commends the efforts made by the Nigerian authorities, the electoral management bodies, the development partners and the other observation missions which contributed to the successful holding of the elections on 21 February 2021.

14. The ECOWAS Observer Mission will submit a comprehensive report of the entire process in due course.

15. The Mission congratulates the candidates for their exemplary conduct so far and urges them to maintain this attitude until the completion of the electoral process, including the validation of the results by the Constitutional Court.

16. The Mission urges the candidates to accept the will of the People and, in the event of disagreement with the results published by the relevant institutions, to resort exclusively to legal channels for redress, through the competent courts, in accordance with the Constitution and the laws in force in the Republic of Niger.

17. The Mission expresses its gratitude to the Government and People of Niger as well as the security forces for creating an enabling environment for the smooth conduct of the overall electoral process.

18. The ECOWAS EOM thanks all development partners for their support to Niger and calls on them to continue to provide more support to enable the country makes further progress towards the consolidation of democracy and economic development.

Done at Niamey, this 23rd day of February 2021

H.E. Mohamed Namadi Sambo
Head of the Observation Mission

SOURCE: Economic Community of West African States. "ECOWAS Preliminary Statement at the 2nd Round of the Presidential Election in Niger." February 23, 2021. <https://www.ecowas.int/wp-content/uploads/2021/02/Preliminary-Declaration-1.pdf>.



UN Experts Comment on Human Rights Violations Linked to General Elections

April 13, 2021

UN human rights experts today called on the Government of Uganda to immediately stop the brutal crackdown on its political opponents which began in the lead-up to January's disputed general elections and continues to suppress opposition supporters.

“We are particularly alarmed by the reports of widespread and continued repression against opposition leaders and their supporters,” the experts said. “More than 50 people have been killed as a result of the brutal policing methods, including the use of live ammunition fired without warning, and at least 20 others have lost their lives in incidents linked to the electoral context.”

They urged the authorities to immediately and thoroughly investigate and prosecute all human rights violations, including allegations of extrajudicial killings, arbitrary arrest and detention, enforced disappearance, torture and ill treatment, deprivation of due process of law and assault on freedom of expression and peaceful assembly.

Several thousand people have been arrested and while some have been released, others have allegedly been tortured before appearing in military courts, the experts said. Relatives of others often do not know their fate or whereabouts. “It is outrageous that those who are requesting information about their forcibly disappeared relatives are further subjected to reprisals and arrest,” the independent experts said.

“We are urging the Government of Uganda to take all necessary measures to immediately stop the concealing of information concerning individuals arrested in the context of the general elections, a practice amounting to enforced disappearance, and reveal their fate and whereabouts.

“The arbitrary house arrest between 14 and 25 January 2021 of the prominent opposition leader known as Bobi Wine (Mr. Kyagulanyi), which a High Court ruled to be unconstitutional, is symptomatic of the flagrant suppression tactics of the opposition and the absence of due process of law,” the experts said.

Opposition leaders and their supporters have protested against alleged electoral irregularities and the prohibition of gatherings under the guise of preventing the spread of the COVID-19 virus. The massive deployment of armed forces in cities, as well as the intimidation and attacks of opposition observers at polling stations, reportedly affected voter turnout; while the interruption of internet services slowed the voting process and affected counting.

“The curtailing of freedom of press and media, the intimidation, ill-treatment and assaults of journalists covering the elections and especially the opposition is simply unacceptable. The Government must provide immediate remedies and reparation to all the victims,” the experts said.

SOURCE: Office of the High Commissioner for Human Rights. “Uganda: UN Experts Extremely Concerned at Serious Rights Violations Linked to General Elections.” April 13, 2021. © 2021 United Nations. <https://www.ohchr.org/en/press-releases/2021/04/uganda-un-experts-extremely-concerned-serious-rights-violations-linked>



United Nations Secretary-General Gives Tribute to Late Tanzanian President

April 16, 2021

Following are UN Secretary-General António Guterres’ remarks at the General Assembly tribute to the memory of John Pombe Joseph Magufuli, the late President of the United Republic of Tanzania, today:

We are gathered today to honour the memory of John Magufuli, the late President of the United Republic of Tanzania.

As we convey our condolences to the Government and people of the United Republic of Tanzania, we also recognize the service of President Magufuli. He sought to expand access to social services and tackle corruption.

The late President was a noted proponent of infrastructure development and industrialization—vital tools for economic advancement. Tanzania reached its ambition of becoming a middle-income country four years ahead of its 2025 goal.

The late President also helped strengthen the education system and increase the enrolment rates of new students into secondary schools. Furthermore, his Government improved rural electrification in the country with ambitions to expand Tanzania's electricity generation capacity to enable nationwide energy access.

On behalf of the United Nations, I once again offer our condolences to the late President's family, the Government and people of the United Republic of Tanzania. We recognize the country's long history of support for multilateralism and applaud its dedication to international and regional cooperation.

I take this opportunity to reiterate and reinforce the commitment of the United Nations to continue working closely with his successor, President Samia Suluhu Hassan, the country's first female President.

We stand with the people of Tanzania to advance sustainable development and support their aspirations for a prosperous Tanzania for all.

SOURCE: United Nations. "Secretary-General Hails John Pombe Joseph Magufuli's Service, at General Assembly Tribute for Late United Republic of Tanzania President." April 16, 2021. <https://www.un.org/press/en/2021/sgsm20682.doc.htm>.

OTHER HISTORIC DOCUMENTS OF INTEREST

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- Nations Respond to Violence in Ethiopia's Tigray Region, p. 215

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- Malian Prime Minister and President Arrested, 2020, p. 482
- U.S., International Officials Comment on Unrest, Violence in Africa, 2020, p. 616
- UN, AU, and Ethiopian Leaders on Violence and New Government, 2019, p. 326
- International Leaders Respond to Protests in Algeria, 2019, p. 125

Indictments Issued in Flint Water Crisis Case

JANUARY 14, 2021

In 2015, residents of Flint, Michigan, learned that their water supply had for months contained dangerously high levels of lead, the result of a change in water sources and failure to follow federal guidelines regarding the introduction of a water pipe corrosion inhibitor. Public outcry led to emergency declarations at the state and federal levels that brought millions of dollars in relief to the city. In January 2021, the Michigan solicitor general announced indictments against nine individuals—including former governor Rick Snyder—for their alleged role in the water crisis. Trials for each defendant were set to begin throughout the year.

FLINT WATER BECOMES HAZARDOUS

In April 2014, the city of Flint, Michigan, to cut costs, changed its water supply from the Detroit Water and Sewerage Department—which gets its water from Lake Huron and the Detroit River—to the Flint River. At the time of the switch, the city failed to introduce a corrosion inhibitor to the water as required by federal guidelines for all drinking water sources. In turn, the water continued to corrode aging pipes, leaching lead into the water supply. Shortly after water began flowing from the Flint River, residents started to complain of strange smells coming from their taps, abdominal pain, hair loss, and skin rashes. City officials maintained that the water was safe to use and consume.

A concerned local resident sent water samples to Virginia Tech, where scientists identified dangerous lead levels. Blood samples from residents revealed elevated levels of neurotoxin, a heavy metal. These findings were reported to city officials who warned residents to stop using the water for any purpose; by that time, many people living in Flint had been using the water for eighteen months. Research released in 2019 also found that a significant uptick in deaths from Legionnaires' disease, a form of pneumonia caused by exposure to contaminated water droplets, was likely linked to the 2014 water supply change. The outbreak sickened dozens and killed at least twelve individuals, but researchers have suggested the number could be much higher.

Flint moved back to its old water source in 2015, around the same time Governor Rick Snyder issued an emergency declaration, opening state assistance to Flint. Then President Barack Obama followed with a federal state of emergency in early 2016, to get the Federal Emergency Management Agency assistance to the city.

INDICTMENTS ISSUED AGAINST NINE OFFICIALS

For years, questions had been raised about who would be held liable for the water-source switch and subsequent fallout. Answers came on January 14, 2021, when state solicitor general Fadwa Hammoud and Wayne County prosecutor Kym L. Worthy announced

forty-two criminal and civil counts against nine individuals. The indictments were the result of a one-person grand jury—Genesee County Circuit Court judge David J. Newblatt—who spent one year behind closed doors investigating the evidence in the case.

Noting that many residents of Flint still suffered the effects of the water crisis, Hammoud stated, “When an entire city is victimized by the negligence and indifference of those in power, it deserves an uncompromising investigation that holds to account anyone who is criminally culpable,” said Hammoud. “And that is what this prosecution team did. Our approach was simple—where we believed the evidence would prove a criminal charge, we sought and obtained indictments for those crimes,” she continued.

“This case has nothing to do with partisanship. It has to do with human decency, resurrecting the complete abandonment of the people of Flint, and finally, finally, holding people accountable for the unspeakable alleged atrocities that harmed this city for years,” Worthy said, adding, “Pure and simple this case is about justice, truth, accountability, poisoned children, lost lives, shattered families that are still not whole, and simply giving a damn about all of humanity.”

Those charged included former governor Snyder and his chief of staff, two former Flint emergency managers, the former transformation manager and senior advisor to the governor, the former Flint Department of Public Works director, the former director of the Michigan Department of Health and Human Services (DHHS), the current DHHS Early Childhood Health Section manager, and the former DHHS chief medical executive. Charges ranged from willful neglect of duty, perjury, obstruction of justice, and misconduct in office to extortion and involuntary manslaughter. Many of the charges stemmed from the Legionnaires’ disease outbreak and issuing misleading information or preventing information from being disseminated during the water crisis. While the former governor was the highest profile defendant, his charges—two counts of willful neglect of duty—are not felonies and each carry only a one-year misdemeanor sentence or \$1,000 fine. Defendants facing the most serious charges could serve decades in prison if found guilty and sentenced to the maximum penalty.

FLINT LAWSUITS AND TRIALS CONTINUE

After the indictments were announced, attorneys for the defendants filed motions to dismiss the charges and began questioning the use of a one-person grand jury, which alters how the defense receives evidence and when they are able to cross-examine witnesses. In June, district court judge Elizabeth Kelly rejected the claim that prosecutors had violated defendant due process rights through the use of a closed-door one-person grand jury and ruled that those facing felony counts had no right to challenge the evidence in the case. Many of the defense attorneys vowed to appeal the rulings. At the time of this writing, the trials for the nine defendants were expected to begin in late 2021 or early 2022.

At the same time these cases moved forward, the courts continued to handle a more than \$600 million settlement related to civil lawsuits filed in state and federal courts alleging harm caused by the Flint water crisis. More than 45,000 individuals submitted an initial claim as part of the settlement, the bulk of which will be paid for by the state of Michigan. In April 2021, District Court judge Judith Levy gave the settlement preliminary approval. However, plaintiffs filed more than 100 objections to the settlement, including concerns about the total value and how the money would be divided. Levy rejected those objections and in November gave final approval to the settlement.

—Heather Kerrigan

Following is a press release from the Michigan attorney general's office on January 14, 2021, announcing the indictments related to the Flint water crisis; and the text of the grand jury indictments issued on January 14, 2021, against former Michigan governor Rick Snyder.



Michigan Attorney General Announces Flint Water Crisis Indictments

January 14, 2021

Michigan Solicitor General Fadwa Hammoud and Wayne County Prosecutor Kym L. Worthy today announced that after 12 months of grand jury proceedings nine individuals have been indicted on a total of 42 counts related to a series of alleged actions and inactions that created the historic injustice of the Flint Water Crisis. The Chief Judge of the Seventh Circuit in Genesee County appointed Judge David Newblatt to act as a one-man grand jury to investigate crimes related to the crisis. Indictments were issued after the grand juror listened to and evaluated the evidence presented.

The following defendants were charged by Solicitor General Hammoud and Prosecutor Worthy as part of the criminal investigation into the Flint Water Crisis:

- **Jarrold Agen** – Former Director of Communications and Former Chief of Staff, Executive Office of Gov. Rick Snyder
 - One count of perjury – a 15-year felony
- **Gerald Ambrose** – Former City of Flint Emergency Manager
 - Four counts of misconduct in office – each a five-year felony and/or \$10,000 fine
- **Richard Baird** – Former Transformation Manager and Senior Adviser, Executive Office of Gov. Snyder
 - One count of perjury – a 15-year felony
 - One count of official misconduct in office – a five-year felony and/or \$10,000 fine
 - One count of obstruction of justice – a five-year felony and/or \$10,000 fine
 - One count of extortion – a 20-year felony and/or \$10,000 fine
- **Howard Croft** – Former Director of the City of Flint Department of Public Works
 - Two counts of willful neglect of duty – each a one-year misdemeanor and/or \$1,000 fine
- **Darnell Earley** – Former City of Flint Emergency Manager
 - Three counts of misconduct in office – each a five-year felony and/or \$10,000 fine

- **Nicolas Lyon** – Former Director, Michigan Department of Health and Human Services
 - Nine counts of involuntary manslaughter – each a 15-year felony and/or \$7,500 fine
 - One count of willful neglect of duty – a one-year misdemeanor and/or \$1,000 fine
- **Nancy Peeler** – Current Early Childhood Health Section Manager, Michigan Department of Health and Human Services
 - Two counts of misconduct in office – each a five-year felony and/or \$10,000 fine
 - One count of willful neglect of duty – a one-year misdemeanor and/or \$1,000 fine
- **Richard Snyder** – Former Governor of Michigan
 - Two counts of willful neglect of duty – each a one-year misdemeanor and/or \$1,000 fine
- **Eden Wells** – Former Chief Medical Executive, Michigan Department of Health and Human Services
 - Nine counts of involuntary manslaughter – each a 15-year felony and/or \$7,500 fine
 - Two counts of misconduct in office – each a five-year felony and/or \$10,000 fine
 - One count of willful neglect of duty – a one-year misdemeanor and/or \$1,000 fine

The defendants turned themselves in and were arraigned today before Judge Elizabeth A. Kelly for the Seventh Circuit Court and Chief Judge Christopher Odette for the 67th District Court. Details on their arraignments and subsequent court dates will be forthcoming.

The prosecution team sought and obtained indictments based on evidence that could be proven in court. Status, position or political affiliation of a defendant are not factors in the charges sought. Furthermore, charges were not pursued unless the evidence and law supported it. The secrecy provisions over the grand jury proceedings do not allow for discussion of the grand jury evidence underlying the charges at this time. However, going forward, the cases will proceed in the respective courts to which they are assigned, presided over by those judges in accordance with Michigan law.

“When an entire city is victimized by the negligence and indifference of those in power, it deserves an uncompromising investigation that holds to account anyone who is criminally culpable. That is what all residents in this state are entitled to, regardless of their ZIP code. And that is what this prosecution team did. Our approach was simple—where we believed the evidence would prove a criminal charge, we sought and obtained indictments for those crimes,” said Solicitor General Hammoud. “We must remember that the Flint Water Crisis is not some relic of the past. At this very moment, the people of Flint continue to suffer from the categorical failure of public officials at all levels of government, who trampled upon their trust, and evaded accountability for far too long. We understand that our work is not done and although the criminal justice system alone cannot remedy all the suffering that every person endured, we took our part seriously. We hope others will do the same to ensure this never, ever happens again.”

“This case has nothing to do with partisanship. It has to do with human decency, resurrecting the complete abandonment of the people of Flint, and finally, finally, holding

people accountable for the unspeakable alleged atrocities that harmed this city for years,” said Prosecutor Worthy. “Pure and simple this case is about justice, truth, accountability, poisoned children, lost lives, shattered families that are still not whole, and simply giving a damn about all of humanity.”

In April 2014, the water supply reaching thousands of homes, schools and businesses within the City of Flint was switched from water sourced from Lake Huron to the Flint River. As a result of that switch, the Flint Water Crisis quickly became an ongoing public health crisis that has left a lasting impact on thousands of Flint residents. By early 2016, then-Gov. Snyder declared a State of Emergency in Genesee County and an investigation was launched by a private law firm—appointed by then-Attorney General Bill Schuette—that was then designated as the former Office of Special Counsel (OSC).

In late 2018, Attorney General Dana Nessel was elected and upon taking office in 2019, she made decisions to put a conflict wall in place to ensure the criminal investigation and civil litigation following the Flint Water Crisis were conducted by completely separate teams. Nessel decided to lead the civil litigation team. The OSC—which proved to be an unnecessary cost to taxpayers—was no longer needed, and Hammoud and Worthy were tapped to lead the criminal investigation.

Citing grave concerns about the investigative approach and legal theories embraced by the former OSC1 particularly regarding the pursuit of evidence, Hammoud and Worthy announced in June 2019 the dismissal without prejudice of all pending criminal charges previously brought by the OSC. The prosecution team’s voluntary dismissal allowed them to move forward in conducting a thorough, methodical and ethical investigation. The dismissal also was not a determination of any defendant’s criminal responsibility, nor was the team precluded from refile charges against the specified defendants, or adding new charges and additional defendants.

SOURCE: State of Michigan. Office of the Attorney General. “Nine Indicted on Criminal Charges in Flint Water Crisis Investigation.” January 14, 2021. <https://www.michigan.gov/ag/news/press-releases/2021/01/14/nine-indicted-on-criminal-charges-in-flint-water-crisis-investigation>



Former Michigan Governor Indicted

January 14, 2021

STATE OF MICHIGAN
CIRCUIT COURT FOR THE 7TH JUDICIAL CIRCUIT
GENESEE COUNTY
GRAND JURY INDICTMENT

PEOPLE OF THE STATE OF MICHIGAN,

v

DEF: RICHARD DALE SNYDER

78 JANUARY

DOB: 8/19/1958
SEX/RACE: M/W

CONFIDENTIAL/Non-Public
File No. 20-113791-PZ

Offense Information
Police Agency/Report No.

Date of Offense: 04/25/2014-12/31/2018

Place of Offense: Flint, MI

Complaining Witness:
GRAND JURY

INDICTMENT

THE GRAND JURY OF THE COUNTY OF GENESEE PRESENTS THAT:

On or about the above date in County of GENESEE, State of MICHIGAN, the above-named defendant:

COUNT 1: WILLFUL NEGLIGENCE OF DUTY

As Governor of the State of Michigan, a public officer, did willfully neglect his mandatory legal duty under Article V, section 8 and 10, of the Michigan Constitution, by failing to inquire into the performance, condition and administration of the public offices and officers that he appointed and was required to supervise; contrary to MCL 750.478.

MISDEMEANOR: 1 year and/or \$1,000.00

COUNT 2: WILLFUL NEGLIGENCE OF DUTY

As Governor of the State of Michigan, a public officer, did willfully neglect his mandatory legal duty to protect citizens of this state against disaster and/or emergency under Public Act 390 of 1976 (Emergency Management Act) by failing to declare a state of emergency and/or disaster when the Governor had notice of a threat of disaster and/or emergency in the City of Flint; contrary to MCL 750.478.

MISDEMEANOR: 1 year and/or \$1,000.00

I hereby certify that the foregoing indictment is a TRUE BILL.

[signed]

Grand Juror

DATE: 1/8/21

SG Flint/Indictment (Snyder) 12.29.20

SOURCE: State of Michigan. Circuit Court for the 7th Judicial Circuit. Genesee County. Grand Jury Indictment. File No. 2020-113791-PZ. January 8, 2021 (released January 14, 2021). https://www.michigan.gov/documents/ag/GJ_Indictment_-_Snyder_R_712955_7.pdf.

OTHER HISTORIC DOCUMENTS OF INTEREST

FROM PREVIOUS *HISTORIC DOCUMENTS*

- State and Federal Officials Respond to Flint Water Crisis, 2016, p. 3

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Trump Gives Farewell Address; Biden Sworn in as President of the United States

JANUARY 19 AND JANUARY 20, 2021

Despite the attack on the U.S. Capitol on January 6, 2021, on January 20, the traditional transfer of power took place as Joseph R. Biden was sworn in as the forty-sixth president of the United States. In his inaugural address, given before a COVID-19–limited crowd, Biden struck an optimistic tone and called for unity to help lift America above the challenges facing it. One day earlier, outgoing president Donald Trump delivered taped remarks of his own, celebrating his accomplishments and wishing the new administration luck. As Trump headed home to Florida, Biden spent his first hours in office taking executive actions to begin undoing the Trump legacy.

TRUMP TOUTS RECORD IN FAREWELL ADDRESS

After rarely being seen or heard from in two weeks, on his last full day in office, Trump released a nearly twenty-minute taped farewell address, celebrating his accomplishments and thanking his family and supporters. “I want to thank the American people. To serve as your president has been an honor beyond description,” Trump said. According to Trump, during his tenure, “We built the greatest political movement in the history of our country. We also built the greatest economy in the history of the world.” Trump ticked off his accomplishments, including tax cuts, eliminating multiple federal regulations, replacing trade deals, creating record-low unemployment, increasing family incomes, reaching stock market highs, and imposing new tariffs on China. The president also mentioned fighting the COVID-19 crisis, confirming three new justices to the Supreme Court, and his efforts to secure the border and enhance U.S. leadership around the globe. “We restored American strength at home and American leadership abroad,” Trump said. “The world respects us again. Please don’t lose that respect.”

Trump also condemned the violence at the Capitol on January 6, saying, “All Americans were horrified by the assault on our Capitol. Political violence is an attack on everything we cherish as Americans. It can never be tolerated. Now more than ever, we must unify around our shared values and rise above the partisan rancor and forge our common destiny.” Though he never mentioned Biden by name, Trump did offer best wishes to the incoming administration. “This week, we inaugurate a new administration and pray for its success in keeping America safe and prosperous,” he said. In closing, the outgoing president remarked, “Now, as I prepare to hand power over to a new administration at noon on Wednesday, I want you to know that the movement we started is only just beginning. There’s never been anything like it.” Trump added, “I go from this majestic place with a loyal and joyful heart, an optimistic spirit, and a supreme confidence that for our country and for our children, the best is yet to come.”

In his final hours in office, as is tradition, Trump issued dozens of pardons and commutations. Many were for drug offenses for everyday Americans, but others were for more high-profile individuals including rapper Lil Wayne and Albert J. Pirro Jr., the ex-husband of Fox News host and Trump supporter Jeanine Pirro. As was widely expected, Trump also pardoned longtime aide Steve Bannon. He did not, as some had speculated, issue preemptive pardons for himself, any of his children, or his personal lawyer Rudy Giuliani. The president had already issued pardons for others in his inner circle about a month before leaving office, including Paul Manafort and Roger Stone.

After departing the White House on the morning of January 20, Trump gave another set of brief remarks at Andrews Air Force Base where several hundred of his supporters had gathered. “It has been something very special,” Trump said of his time in office. “And I just want to say goodbye, but hopefully it’s not a long-term goodbye,” he added. “Have a good life. We will see you soon. Thank you,” Trump said before boarding Air Force One bound for his home in Palm Beach, Florida. Trump was the first president in 150 years not to attend the inauguration of the incoming president, despite urging from his advisors and fellow Republicans. While he flouted that tradition, he did leave a note for Biden on the Resolute Desk in the Oval Office. Biden, who would not reveal the full contents of the letter, said it was “very generous.”

BIDEN CALLS FOR UNITY IN INAUGURAL ADDRESS

Biden’s inaugural address was unlike others in recent memory. The COVID-19 pandemic meant that individuals were not permitted to gather on the National Mall to witness the swearing in of a new president. Instead, nearly 200,000 flags were placed to represent those who would have made up a typical inaugural crowd. Those seated behind Biden were appropriately distanced and wearing masks. And 25,000 National Guard troops and thousands of police officers stood watch over the event, which was taking place at the same site where two weeks earlier a mob of Trump supporters violently attempted to stop the certification of Biden’s victory. In honor of those who defended the building, Capitol police officer Eugene Goodman, a Black man who was captured on video leading a mostly white mob away from the Senate chamber, escorted Vice President-elect Kamala Harris to her seat on the dais.

After opening remarks delivered by Senators Amy Klobuchar, D-Minn., and Roy Blunt, R-Mo., and a performance of the national anthem by Lady Gaga, Harris was sworn in by Supreme Court justice Sonia Sotomayor. Harris became the highest-ranking female in U.S. history and was the first Black and first Asian vice president. Biden’s swearing-in took place shortly thereafter, at 11:48 a.m., with the oath of office delivered by Supreme Court chief justice John Roberts. When Biden took to the lectern to deliver his inaugural address, he did so as the oldest president in history, and facing a slew of crises, not least of which was the COVID-19 pandemic that had killed more than 400,000 Americans.

“This is America’s day. This is democracy’s day, a day of history and hope, of renewal and resolve. Through a crucible for the ages America has been tested anew, and America has risen to the challenge,” Biden said in the opening of his twenty-one-minute speech that marked a sharp departure from Trump’s inaugural address four years earlier in which he spoke of what he saw as “American carnage.” Biden referred early in his speech to the January 6 attack, saying, “We’ve learned again that democracy is precious, democracy is fragile. And at this hour, my friends, democracy has prevailed. So now, on this hallowed ground where just a few days ago violence sought to shake the Capitol’s very foundation, we come together as one Nation under God, indivisible, to carry out the peaceful transfer of power as we have for more than two centuries.”

In his remarks, Biden outlined four primary challenges facing his administration: the COVID-19 pandemic, racial justice, political extremism, and climate change. “To overcome these challenges—to restore the soul and secure the future of America—requires so much more than words. It requires the most elusive of all things in a democracy: unity. Unity,” Biden said. While admitting that in a highly polarized environment “unity can sound to some like a foolish fantasy,” Biden spoke of crises that have faced the United States throughout its history, noting, “In each of these moments, enough of us—enough of us—have come together to carry all of us forward.” Biden called for a fresh start that would “end this uncivil war that pits red against blue, rural versus urban, conservative versus liberal. We can do this if we open our souls instead of hardening our hearts, if we show a little tolerance and humility, and if we’re willing to stand in the other person’s shoes.”

After leading a moment of silence to honor those lost to the COVID-19 pandemic, Biden closed his speech, saying, “I give you my word: I will always level with you. I will defend the Constitution. I will defend our democracy. I will defend America.” He continued, expressing his belief that by working together the country can write a new story that overcomes the challenges facing it. “May this be the story that guides us . . . that we answered the call of history, we met the moment; democracy and hope, truth and justice, did not die on our watch, but thrived; that America secured liberty at home and stood once again as a beacon to the world.”

Traditionally, the formal inauguration ceremony is followed by a bipartisan lunch at the Capitol, parade to the White House, and multiple evening soirees. However, the pandemic changed those traditions. Instead, after the swearing-in, Biden joined former presidents Barack Obama, George W. Bush, and Bill Clinton at Arlington National Cemetery to lay a wreath at the Tomb of the Unknowns. The president then returned to the White House—he and his family left the motorcade and walked the last couple of blocks—and a virtual parade was held featuring performances from all fifty-six U.S. states and territories. In the evening, a Celebrating America event was broadcast from the Lincoln Memorial, featuring speeches by Biden and Harris, as well as performances by singers including Justin Timberlake and Bruce Springsteen. In her first remarks at the event as vice president, Harris said that how America moves forward at this moment “demonstrates who we are.” She added, “We not only see what has been, we see what can be. We shoot for the moon and then we plant our flag on it. We are bold, curious and ambitious. We are undaunted in our belief that we shall overcome.”

PRESIDENT SIGNS SEVENTEEN EXECUTIVE ORDERS ON FIRST DAY

After his swearing-in, Biden spent his first hours in office signing seventeen executive orders, proclamations, and memorandums. The majority were aimed at dismantling pieces of the Trump administration’s work and setting new COVID-19 protections in place. “There’s no time to start like today,” Biden said from the Oval Office. “I’m going to start by keeping the promises I made to the American people.”

The first order signed by Biden would require masks and social distancing on all federal property, including government buildings and public lands. Other pandemic-related orders including canceling Trump’s decision to remove the United States from the World Health Organization, creating a White House COVID-19 office, and extending the ban on foreclosures and evictions through the end of March. Biden also reversed the previous administration’s decisions by rejoining the Paris climate agreement, revoking the Keystone XL pipeline permit, and canceling the 1776 Commission that sought to install more

conservative curriculum in schools and limited diversity training in federal agencies. On immigration, Biden issued orders that would revoke the Trump administration decision to eliminate undocumented immigrants from the U.S. census, strengthen legal protection for immigrants brought to the United States as children, end the immigration ban imposed on those from certain Muslim majority nations, stop an expansion of immigration officials' interior detention and deportation activities, divert funds away from the border wall and halt construction, and shield certain Liberians from deportation.

Other orders included freezing most federal monthly student loan payments and interest until September 30, creating a mandatory ethics pledge for officials in the executive branch, and extending the prohibition on workplace discrimination to include sexual orientation and gender identity. Biden's final initiative of the day froze all Trump administration regulations that had not yet been implemented, to provide the new administration time to review and determine how to move forward.

—Heather Kerrigan

Following is the text of President Donald Trump's farewell address, delivered on January 19, 2021; and the text of Joseph R. Biden's inaugural address, given on January 20, 2021, after being sworn in as president.



President Trump Delivers Farewell Speech

January 19, 2021

My fellow Americans, 4 years ago, we launched a great national effort to rebuild our country, to renew its spirit, and to restore the allegiance of this Government to its citizens. In short, we embarked on a mission to make America great again for all Americans. As I conclude my term as the 45th President of the United States, I stand before you truly proud of what we have achieved together. We did what we came here to do and so much more.

This week, we inaugurate a new administration and pray for its success in keeping America safe and prosperous. We extend our best wishes, and we also want them to have luck, a very important word.

I'd like to begin by thanking just a few of the amazing people who made our remarkable journey possible. First, let me express my overwhelming gratitude for the love and support of our spectacular First Lady, Melania. Let me also share my deepest appreciation to my daughter Ivanka, my son-in-law Jared, and to Barron, Don, Eric, Tiffany, and Lara. You fill my world with light and with joy.

I also want to thank Vice President Mike Pence, his wonderful wife Karen, and the entire Pence family. Thank you as well to my Chief of Staff, Mark Meadows; the dedicated members of the White House staff and the Cabinet; and all the incredible people across our administration who poured out their heart and soul to fight for America.

I also want to take a moment to thank a truly exceptional group of people: the United States Secret Service. My family and I will forever be in your debt. My profound gratitude as well to everyone in the White House Military Office, the teams of Marine One and Air

Force One, every member of the Armed Forces, and State and local law enforcement all across our country.

Most of all, I want to thank the American people. To serve as your President has been an honor beyond description. Thank you for this extraordinary privilege. And that's what it is—a great privilege and a great honor.

We must never forget that while Americans will always have our disagreements, we are a nation of incredible, decent, faithful, and peace-loving citizens who all want our country to thrive and flourish and be very, very successful and good. We are a truly magnificent nation.

All Americans were horrified by the assault on our Capitol. Political violence is an attack on everything we cherish as Americans. It can never be tolerated. Now more than ever, we must unify around our shared values and rise above the partisan rancor and forge our common destiny.

Four years ago, I came to Washington as the only true outsider ever to win the Presidency. I had not spent my career as a politician, but as a builder looking at open skylines and imagining infinite possibilities. I ran for President because I knew there were towering new summits for America just waiting to be scaled. I knew the potential for our Nation was boundless as long as we put America first.

So I left behind my former life and stepped into a very difficult arena, but an arena nevertheless, with all sorts of potential if properly done. America had given me so much, and I wanted to give something back.

Together with millions of hard-working patriots across this land, we built the greatest political movement in the history of our country. We also built the greatest economy in the history of the world. It was about “America first,” because we all wanted to make America great again. We restored the principle that a nation exists to serve its citizens. Our agenda was not about right or left, it wasn't about Republican or Democrat, but about the good of a nation, and that means the whole Nation.

With the support and prayers of the American people, we achieved more than anyone thought possible. Nobody thought we could even come close.

We passed the largest package of tax cuts and reforms in American history. We slashed more job-killing regulations than any administration had ever done before. We fixed our broken trade deals, withdrew from the horrible Trans-Pacific Partnership and the impossible Paris climate accord, renegotiated the one-sided South Korea deal, and we replaced NAFTA with the groundbreaking USMCA—that's Mexico and Canada—a deal that's worked out very, very well.

Also, and very importantly, we imposed historic and monumental tariffs on China, made a great new deal with China. But before the ink was even dry, we and the whole world got hit with the China virus. Our trade relationship was rapidly changing, billions and billions of dollars were pouring into the U.S., but the virus forced us to go in a different direction.

The whole world suffered, but America outperformed other countries economically because of our incredible economy and the economy that we built. Without the foundations and footings, it wouldn't have worked out this way. We wouldn't have some of the best numbers we've ever had.

We also unlocked our energy resources and became the world's number-one producer of oil and natural gas by far. Powered by these policies, we built the greatest economy in the history of the world. We reignited America's job creation and achieved record-low unemployment for African Americans, Hispanic Americans, Asian Americans, women—almost everyone.

Incomes soared, wages boomed, the American Dream was restored, and millions were lifted from poverty in just a few short years. It was a miracle. The stock market set one record after another—with 148 stock market highs during this short period of time—and boosted the retirements and pensions of hard-working citizens all across our Nation; 401(k)s are at a level they've never been at before. We've never seen numbers like we've seen, and that's before the pandemic and after the pandemic.

We rebuilt the American manufacturing base, opened up thousands of new factories, and brought back the beautiful phrase: Made in the U.S.A. To make life better for working families, we doubled the child tax credit and signed the largest ever expansion of funding for childcare and development. We joined with the private sector to secure commitments to train more than 16 million American workers for the jobs of tomorrow.

When our Nation was hit with the terrible pandemic, we produced not one, but two vaccines, with record-breaking speed, and more will quickly follow. They said it couldn't be done but we did it. They call it a "medical miracle," and that's what they're calling it right now, a medical miracle. Another administration would have taken 3, 4, 5, maybe even up to 10 years to develop a vaccine. We did in 9 months. We grieve for every life lost, and we pledge in their memory to wipe out this horrible pandemic once and for all.

When the virus took its brutal toll on the world's economy, we launched the fastest economic recovery our country has ever seen. We passed nearly \$4 trillion in economic relief, saved or supported over 50 million jobs, and slashed the unemployment rate in half. These are numbers that our country has never seen before.

We created choice and transparency in health care, stood up to Big Pharma in so many ways, but especially in our effort to get favored-nations clauses added, which will give us the lowest prescription drug prices anywhere in the world.

We passed VA Choice, VA Accountability, "right to try," and landmark criminal justice reform.

We confirmed three new Justices of the United States Supreme Court. We appointed nearly 300 Federal judges to interpret our Constitution as written.

For years, the American people pleaded with Washington to finally secure the Nation's borders. I am pleased to say we answered that plea and achieved the most secure border in U.S. history. We have given our brave border agents and heroic ICE officers the tools they need to do their jobs better than they have ever done before and to enforce our laws and keep America safe.

We proudly leave the next administration with the strongest and most robust border security measures ever put into place. This includes historic agreements with Mexico, Guatemala, Honduras, and El Salvador, along with more than 450 miles of powerful new wall.

We restored American strength at home and American leadership abroad. The world respects us again. Please don't lose that respect. We reclaimed our sovereignty by standing up for America at the United Nations and withdrawing from the one-sided global deals that never served our interests. And NATO countries are now paying hundreds of billions of dollars more than when I arrived just a few years ago. It was very unfair. We were paying the cost for the world. Now the world is helping us.

And perhaps most importantly of all, with nearly \$3 trillion, we fully rebuilt the American military, all made in the U.S.A. We launched the first new branch of the United States Armed Forces in 75 years: the Space Force. And last spring, I stood at Kennedy Space Center in Florida and watched as American astronauts returned to space on American rockets for the first time in many, many years.

We revitalized our alliances and rallied the nations of the world to stand up to China like never before. We obliterated the ISIS caliphate and ended the wretched life of its founder and leader, al-Baghdadi. We stood up to the oppressive Iranian regime and killed the world's top terrorist, Iranian butcher Qasem Soleimani. We recognized Jerusalem as the capital of Israel and recognized Israeli sovereignty over the Golan Heights.

As a result of our bold diplomacy and principled realism, we achieved a series of historic peace deals in the Middle East. Nobody believed it could happen. The Abraham Accords opened the doors to a future of peace and harmony, not violence and bloodshed. It is the dawn of a new Middle East, and we are bringing our soldiers home.

I am especially proud to be the first President in decades who has started no new wars.

Above all, we have reasserted the sacred idea that, in America, the Government answers to the people. Our guiding light, our north star, our unwavering conviction has been that we are here to serve the noble everyday citizens of America. Our allegiance is not to the special interests, corporations, or global entities, it's to our children, our citizens, and to our Nation itself.

As President, my top priority, my constant concern, has always been the best interests of American workers and American families. I did not seek the easiest course; by far, it was actually the most difficult. I did not seek the path that would get the least criticism. I took on the tough battles, the hardest fights, the most difficult choices, because that's what you elected me to do. Your needs were my first and last unyielding focus.

This, I hope, will be our greatest legacy: Together, we put the American people back in charge of our country. We restored self-government. We restored the idea that in America no one is forgotten, because everyone matters and everyone has a voice. We fought for the principle that every citizen is entitled to equal dignity, equal treatment, and equal rights, because we are all made equal by God. Everyone is entitled to be treated with respect, to have their voice heard, and to have their government listen. You are loyal to your country, and my administration was always loyal to you.

We worked to build a country in which every citizen could find a great job and support their wonderful families. We fought for the communities where every American could be safe and schools where every child could learn. We promoted a culture where our laws would be upheld, our heroes honored, our history preserved, and law-abiding citizens are never taken for granted. Americans should take tremendous satisfaction in all that we have achieved together. It's incredible.

Now, as I leave the White House, I have been reflecting on the dangers that threaten the priceless inheritance we all share. As the world's most powerful nation, America faces constant threats and challenges from abroad. But the greatest danger we face is a loss of confidence in ourselves, a loss of confidence in our national greatness. A nation is only as strong as its spirit. We are only as dynamic as our pride. We are only as vibrant as the faith that beats in the hearts of our people.

No nation can long thrive that loses faith in its own values, history, and heroes, for these are the very sources of our unity and our vitality. What has always allowed America to prevail and triumph over the great challenges of the past has been an unyielding and unashamed conviction in the nobility of our country and its unique purpose in history. We must never lose this conviction. We must never forsake our belief in America.

The key to national greatness lies in sustaining and instilling our shared national identity. That means focusing on what we have in common: the heritage that we all share.

At the center of this heritage is also a robust belief in free expression, free speech, and open debate. Only if we forget who we are, and how we got here, could we ever allow political censorship and blacklisting to take place in America. It's not even thinkable. Shutting down free and open debate violates our core values and most enduring traditions.

In America, we don't insist on absolute conformity or enforce rigid orthodoxies and punitive speech codes. We just don't do that. America is not a timid nation of tame souls who need to be sheltered and protected from those with whom we disagree. That's not who we are. It will never be who we are.

For nearly 250 years, in the face of every challenge, Americans have always summoned our unmatched courage, confidence, and fierce independence. These are the miraculous traits that once led millions of everyday citizens to set out across a wild continent and carve out a new life in the great West. It was the same profound love of our God-given freedom that willed our soldiers into battle and our astronauts into space.

As I think back on the past 4 years, one image rises in my mind above all others. Whenever I traveled all along the motorcade route, there were thousands and thousands of people. They came out with their families so that they could stand as we passed and proudly wave our great American flag. It never failed to deeply move me. I knew that they did not just come out to show their support of me, they came out to show me their support and love for our country.

This is a republic of proud citizens who are united by our common conviction that America is the greatest nation in all of history. We are, and must always be, a land of hope, of light, and of glory to all the world. This is the precious inheritance that we must safeguard at every single turn.

For the past 4 years, I have worked to do just that. From a great hall of Muslim leaders in Riyadh to a great square of Polish people in Warsaw; from the floor of the Korean Assembly to the podium at the United Nations General Assembly; and from the Forbidden City in Beijing to the shadow of Mount Rushmore, I fought for you, I fought for your family, I fought for our country. Above all, I fought for America and all it stands for, and that is safe, strong, proud, and free.

Now, as I prepare to hand power over to a new administration at noon on Wednesday, I want you to know that the movement we started is only just beginning. There's never been anything like it. The belief that a nation must serve its citizens will not dwindle but instead only grow stronger by the day.

As long as the American people hold in their hearts deep and devoted love of country, then there is nothing that this nation cannot achieve. Our communities will flourish. Our people will be prosperous. Our traditions will be cherished. Our faith will be strong. And our future will be brighter than ever before.

I go from this majestic place with a loyal and joyful heart, an optimistic spirit, and a supreme confidence that for our country and for our children, the best is yet to come.

Thank you, and farewell. God bless you. God bless the United States of America.

SOURCE: Executive Office of the President. "Farewell Address to the Nation." January 19, 2021. *Compilation of Presidential Documents* 2021, no. 00038 (January 19, 2021). <https://www.govinfo.gov/content/pkg/DCPD-202100038/pdf/DCPD-202100038.pdf>.



President Biden Delivers Inaugural Address

January 20, 2021

Chief Justice Roberts, Vice President Harris, Speaker Pelosi, Leader Schumer, Leader McConnell, Vice President Pence, and my distinguished guests, and my fellow Americans: This is America's day. This is democracy's day, a day of history and hope, of renewal and resolve. Through a crucible for the ages America has been tested anew, and America has risen to the challenge.

Today we celebrate the triumph not of a candidate, but of a cause, the cause of democracy. The people—the will of the people has been heard, and the will of the people has been heeded. We've learned again that democracy is precious, democracy is fragile. And at this hour, my friends, democracy has prevailed.

So now, on this hallowed ground where just a few days ago violence sought to shake the Capitol's very foundation, we come together as one Nation under God, indivisible, to carry out the peaceful transfer of power as we have for more than two centuries. As we look ahead in our uniquely American way—restless, bold, optimistic—and set our sights on the Nation we know we can be and we must be, I thank my predecessors of both parties for their presence here today. I thank them from the bottom of my heart. And I know the resilience of our Constitution and the strength, the strength of our Nation, as does President Carter, who I spoke with last night, who cannot be with us today, but whom we salute for his lifetime of service.

I have just taken the sacred oath each of these patriots have taken, the oath first sworn by George Washington. But the American story depends not on any one of us, not on some of us, but on all of us, on “We the People,” who seek a more perfect Union.

This is a great Nation; we are good people. Over the centuries, through storm and strife, in peace and in war, we've come so far. But we still have far to go. We'll press forward with speed and urgency, for we have much to do in this winter of peril and significant possibilities: much to repair, much to restore, much to heal, much to build, and much to gain.

Few people in our Nation's history have been more challenged or found a time more challenging or difficult than the time we're in now. A once-in-a-century virus that silently stalks the country has taken as many lives in one year as America lost in all of World War II. Millions of jobs have been lost; hundreds of thousands of businesses closed. A cry for racial justice some 400 years in the making moves us. The dream of justice for all will be deferred no longer. A cry for survival comes from the planet itself, a cry that can't be any more desperate or any more clear. And now, a rise of political extremism, White supremacy, domestic terrorism that we must confront and we will defeat.

To overcome these challenges—to restore the soul and secure the future of America—requires so much more than words. It requires the most elusive of all things in a democracy: unity. Unity.

In another January on New Year's Day in 1863, Abraham Lincoln signed the Emancipation Proclamation. When he put pen to paper, the President said, and I quote, “If my name ever goes down into history it will be for this act, and my whole soul is in it.” My whole soul is in it.

Today, on this January day, my whole soul is in this: bringing America together, uniting our people, uniting our Nation. And I ask every American to join me in this cause: uniting to fight the foes we face: anger, resentment, and hatred; extremism, lawlessness, violence; disease, joblessness, and hopelessness.

With unity we can do great things, important things. We can right wrongs. We can put people to work in good jobs. We can teach our children in safe schools. We can overcome the deadly virus. We can reward work and rebuild the middle class and make health care secure for all. We can deliver racial justice, and we can make America, once again, the leading force for good in the world.

I know speaking of unity can sound to some like a foolish fantasy these days. I know the forces that divide us are deep and they are real. But I also know they are not new. Our history has been a constant struggle between the American ideal that we all are created equal and the harsh, ugly reality that racism, nativism, fear, demonization have long torn us apart. The battle is perennial. And victory is never assured.

Through the Civil War, the Great Depression, World War, 9/11, through struggle, sacrifice, and setbacks, our “better angels” have always prevailed. In each of these moments, enough of us—enough of us—have come together to carry all of us forward. And we can do that now. History, faith, and reason show the way: the way of unity.

We can see each other not as adversaries, but as neighbors. We can treat each other with dignity and respect. We can join forces, stop the shouting, and lower the temperature. For without unity, there is no peace, only bitterness and fury. No progress, only exhausting outrage. No nation, only a state of chaos.

This is our historic moment of crisis and challenge, and unity is the path forward. And we must meet this moment as the United States of America. If we do that, I guarantee you, we will not fail. We have never, ever, ever, ever failed in America when we have acted together.

And so today, at this time, in this place, let’s start afresh, all of us. Let’s begin to listen to one another, hear one another, see one another, show respect to one another. Politics doesn’t have to be a raging fire destroying everything in its path. Every disagreement doesn’t have to be a cause for total war. And we must reject the culture in which facts themselves are manipulated and even manufactured.

My fellow Americans, we have to be different than this. America has to be better than this. And I believe America is so much better than this.

Just look around. Here we stand, in the shadow of the Capitol dome, as was mentioned earlier, completed amid the Civil War, when the Union itself was literally hanging in the balance. Yet we endured, we prevailed.

Here we stand looking out on the great Mall where Dr. King spoke of his dream.

Here we stand, where 108 years ago, at another Inaugural, thousands of protesters tried to block brave women marching for the right to vote. And today we mark the swearing-in of the first woman in American history elected to national office: Vice President Kamala Harris. Don’t tell me things can’t change.

Here we stand across the Potomac from Arlington Cemetery, where heroes who gave the last full measure of devotion rest in eternal peace.

And here we stand, just days after a riotous mob thought they could use violence to silence the will of the people, to stop the work of our democracy, to drive us from this sacred ground. It did not happen. It will never happen, not today, not tomorrow, not ever—not ever.

To all those who supported our campaign, I am humbled by the faith you've placed in us. To all those who did not support us, let me say this: Hear me out as we move forward. Take a measure of me and my heart. And if you still disagree, so be it. That's democracy. That's America. The right to dissent peaceably, within the guardrails of our Republic, is perhaps this Nation's greatest strength. Yet hear me clearly: Disagreement must not lead to disunion. And I pledge this to you: I will be a President for all Americans—all Americans. And I promise you, I will fight as hard for those who did not support me as for those who did.

Many centuries ago, Saint Augustine, a saint of my church, wrote that a people was a multitude defined by the common objects of their love—defined by the common objects of their love. What are the common objects we as Americans love? That define us as Americans? I think we know: opportunity, security, liberty, dignity, respect, honor, and yes, the truth.

Recent weeks and months have taught us a painful lesson. There is truth, and there are lies: lies told for power and for profit. And each of us has a duty and a responsibility, as citizens, as Americans, and especially as leaders—leaders who have pledged to honor our Constitution and protect our Nation—to defend the truth and defeat the lies.

Look, I understand that many of my fellow Americans view the future with fear and trepidation. I understand they worry about their jobs. I understand, like my dad, they lay at bed at night staring at the ceiling, wondering: “Can I keep my health care? Can I pay my mortgage?” Thinking about their families, about what comes next. I promise you, I get it. But the answer is not to turn inward, to retreat into competing factions, distrusting those who don't look like you or worship the way you do or don't get their news from the same sources you do. We must end this uncivil war that pits red against blue, rural versus urban, conservative versus liberal. We can do this if we open our souls instead of hardening our hearts, if we show a little tolerance and humility, and if we're willing to stand in the other person's shoes, as my mom would say, just for a moment. Stand in their shoes.

Because here is the thing about life: There is no accounting for what fate will deal you. Some days when you need a hand. There are other days when we're called to lend a hand. That's how it has to be. That is what we do for one another. And if we are this way, our country will be stronger, more prosperous, more ready for the future. And we can still disagree.

My fellow Americans, in the work ahead of us, we're going to need each other. We need all our strength to persevere through this dark winter. We're entering what may be the toughest and deadliest period of the virus. We must set aside politics and finally face this pandemic as one Nation. One Nation. And I promise you this: As the Bible says, “Weeping may endure for a night, but joy cometh in the morning.” We will get through this, together—together.

Look, folks, all my colleagues that I served with in the House and the Senate up here. We all understand the world is watching, watching all of us today. So here is my message to those beyond our borders: America has been tested, and we have come out stronger for it. We will repair our alliances and engage with the world once again, not to meet yesterday's challenges, but today's and tomorrow's challenges. And we'll lead not merely by the example of our power, but by the power of our example. We will be a strong and trusted partner for peace, progress, and security.

Look, you all know, we have been through so much in this Nation. And, in my first act as President, I'd like to ask you to join me in a moment of silent prayer to remember all those we lost this past year to the pandemic, those 400,000 fellow Americans: moms, dads, husbands, wives, sons, daughters, friends, neighbors, and coworkers. We will honor them by becoming the people and Nation we know we can and should be.

So I ask you, let's say a silent prayer for those who have lost their lives, for those they left behind, and for our country.

[*At this point, a moment of silence was observed.*]

Amen.

Folks, this is a time of testing. We face an attack on our democracy and on truth, a raging virus, growing inequity, the sting of systemic racism, a climate in crisis, America's role in the world. Any one of these would be enough to challenge us in profound ways. But the fact is, we face them all at once, presenting this Nation with one of the gravest of responsibilities we've had.

Now we're going to be tested. Are we going to step up? All of us? It is time for boldness, for there is so much to do. And this is certain, I promise you: We will be judged, you and I, by how we resolve these cascading crises of our era. Will we rise to the occasion, is the question. Will we master this rare and difficult hour? Will we meet our obligations and pass along a new and better world to our children? I believe we must; I'm sure you do as well. I believe we will.

And when we do, we will write the next great chapter in the history of the United States of America: the American story, a story that might sound something like a song that means a lot to me. It's called "American Anthem," and there's one verse that stands out, at least for me, and it goes like this:

"The work and prayers of centuries have brought us to this day
What shall be our legacy? What will our children say? . . . Let me know in my heart when my days
are through America, America, I gave my best to you."

Let's add—let's us add our own work and prayers to the unfolding story of our great Nation. If we do this, then when our days are through, our children and our children's children will say of us: "They gave their best. They did their duty. They healed a broken land."

My fellow Americans, I close today where I began, with a sacred oath. Before God and all of you I give you my word: I will always level with you. I will defend the Constitution. I will defend our democracy. I will defend America. And I will give all, all of you, keep everything you—I do, in your service, thinking not of power, but of possibilities; not of personal interest, but of the public good. And together, we shall write an American story of hope, not fear; of unity, not division; of light, not darkness. A story of decency and dignity, love and healing, greatness and goodness.

May this be the story that guides us, the story that inspires us, and the story that tells ages yet to come that we answered the call of history, we met the moment; democracy and hope, truth and justice, did not die on our watch, but thrived; that America secured liberty at home and stood once again as a beacon to the world. That is what we owe our forebearers, one another, and generations to follow.

So with purpose and resolve we turn to those tasks of our time, sustained by faith, driven by conviction, and devoted to one another and the country we love with all our hearts.

May God bless America, and may God protect our troops. Thank you, America.

SOURCE: Executive Office of the President. "Inaugural Address." January 20, 2021. *Compilation of Presidential Documents* 2021, no. 00048 (January 20, 2021). <https://www.govinfo.gov/content/pkg/DCPD-202100048/pdf/DCPD-202100048.pdf>.

OTHER HISTORIC DOCUMENTS OF INTEREST

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- Biden Calls for Unity in Acceptance Speech; Trump Rejects Election Outcome Alleging Fraud, 2020, p. 629

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Biden Administration Reaffirms Commitment to Addressing Southern Border Crisis

JANUARY 20, FEBRUARY 2, MARCH 1, APRIL 26, JUNE 8, AND
JUNE 10, 2021

Throughout his campaign to become president, Joseph R. Biden pledged to reverse the hardline immigration policies implemented during Donald Trump's presidency and to address the root causes of illegal migration across the U.S.–Mexico border. Biden sought to realize this promise from his first day in office, starting with a proclamation to end Trump's declaration of a national emergency at the southern border and continuing with a raft of executive orders, policy proposals, and humanitarian and development assistance. Biden also struck a different tone than his predecessor by holding bilateral meetings with Mexico's president to collaborate on a range of issues, from migration and the COVID-19 pandemic to climate change and economic growth.

A DIFFERENT APPROACH TO IMMIGRATION

Immigration was a central issue for Trump, and he continually leveraged it to galvanize his supporters. Trump repeatedly warned of the security threats posed by Mexican and Central American immigrants, broadly characterizing nearly all of them as violent criminals. He called for the building of a “big, beautiful wall” at the southern border and used every tool at a president's disposal—including executive orders, policy guidance documents, and regulatory change—to make it much more difficult for migrants to come to the United States, even if they were seeking asylum. According to the Migration Policy Institute, the Trump administration undertook more than 400 executive actions on U.S. immigration policy during his four years in office.

Biden's immigration rhetoric and policy proposals stood in stark contrast to those of his predecessor. He tended to emphasize immigrants' many contributions to the United States' economy and culture, and he expressed empathy for the families and individuals fleeing violence and other hardships in their home countries. While acknowledging a need to control the flow of migrants at the border, Biden dismissed Trump's policies as counterproductive and said they undermined “human dignity.” He was particularly critical of the outgoing administration's practice of separating children from their parents at the border and pledged to reunite those families.

BORDER EMERGENCY ENDED

Upon taking office on January 20, 2021, Biden moved quickly to begin undoing Trump's immigration policies. Issued shortly after Biden's inauguration, Proclamation 10142

terminated the national emergency Trump had declared at the southern border in 2019. It also ordered the Departments of Defense and Homeland Security to stop work on the southern border wall and halt the distribution of related funds so that “the legality of the funding and contracting methods used to construct the wall” could be assessed. The proclamation further called for the Departments of Defense, Homeland Security, and the Treasury, as well as the attorney general and the Office of Management and Budget, to develop a plan for the “redirection of funds concerning the southern border wall,” including the potential cancellation or repurposing of private contracts that had been awarded for wall construction. “The United States has a right and a duty to secure its borders and protect its people against threats,” read the proclamation’s introduction. “But building a massive wall that spans the entire southern border is not a serious policy solution. It is a waste of money that diverts attention from genuine threats to our homeland security?”

Trump had used the national emergency to circumvent the appropriations process in Congress. During deliberations over fiscal year 2019 funding, Trump requested \$5.7 billion to build a border wall, but the final spending bill prepared by Congress allocated only \$1.375 billion for border security. By declaring the national emergency, Trump was able to divert more than \$6 billion in funds from the Departments of Defense and the Treasury to finance wall construction.

Also on Inauguration Day, Biden repealed Trump’s ban on travel from Muslim-majority and African countries, issued a memo directing the Department of Homeland Security to preserve and fortify the Deferred Action for Childhood Arrivals program, and ordered a 100-day moratorium on deportations. (A federal judge later ruled that the administration could not enforce the moratorium.) Additionally, the new president outlined his administration’s priorities for a comprehensive immigration reform bill, tentatively called the U.S. Citizenship Act of 2021. The bill’s centerpiece was a proposed eight-year path to citizenship for undocumented individuals living in the United States on or before January 20, 2021. Other key provisions included a NO BAN Act to prevent discrimination against immigrants based on their religion; updates to the family-based immigration system, including increased per-country caps on the number of green cards issued annually; increased numbers of diversity visas and employment-based green cards; additional funding to promote integration and inclusion of immigrants in their states and local communities; greater protections for migrant and seasonal workers; and improvements in technology and infrastructure at points of entry to better detect and prevent illicit activity and to streamline the processing of asylum seekers. Draft bills reflecting these priorities were introduced in the House of Representatives and the Senate on February 18 and February 22, respectively. By the end of 2021, both bills were still in committee.

EXECUTIVE ORDERS CALL FOR REVIEW OF TRUMP IMMIGRATION POLICIES

Biden continued the immigration reform drumbeat with three executive orders signed on February 2. One order called for a “full review of the previous administration’s harmful and counterproductive immigration policies,” including changes made to the so-called public charge rule. This rule stipulates that any immigrant likely to become a public charge—meaning individuals who rely primarily on government assistance for food and other basic needs—is generally inadmissible to the United States or ineligible for a green card. The Trump administration redefined the term *public charge* to include any noncitizen who receives one or more public benefits for more than twelve months in any

thirty-six-month period, effectively excluding a much broader population from entry into the United States.

Another order reestablished the Interagency Task Force on the Reunification of Families. Biden said that with this action, his administration was “going to work to undo the moral and national shame of the previous administration that literally, not figuratively, ripped children from the arms of their families . . . and with no plan, none whatsoever, to reunify the children who are still in custody and their parents.” At the time of the order, there were more than 600 kids awaiting reunification with their families.

The third order, Executive Order 14010, called for the government to create a comprehensive framework for addressing the causes of migration and for providing safer processing of qualified asylum seekers. “We cannot solve the humanitarian crisis at our border without addressing the violence, instability, and lack of opportunity that compel so many people to flee their homes,” the order read. “Nor is the United States safer when resources that should be invested in policies targeting actual threats, such as drug cartels and human traffickers, are squandered on efforts to stymie legitimate asylum seekers.” The order sought to lay out a “multi-pronged approach toward managing migration throughout North and Central America that reflects the Nation’s highest values” and would involve coordination with civil society and international organizations, as well as Central American governments. The order emphasized the importance of increasing opportunities for people to “apply for protection closer to home” but also pledged to “enhance lawful pathways for migration” to the United States.

Specifically, the order directed the assistant to the president for national security affairs, the secretaries of State and Homeland Security, and the attorney general to develop a U.S. strategy for addressing root causes of migration from the “Northern Triangle”—that is, El Salvador, Guatemala, and Honduras—as well as a strategy for collaboratively managing migration in the region. The root causes strategy would include tactics for combating corruption, promoting human and labor rights, countering violence by gangs and other organized crime, and addressing economic insecurity and inequality, among other areas. The collaborative management strategy would focus on identifying more opportunities for migrants to “find stability and safety in receiving countries throughout the region, not only through asylum and refugee resettlement, but also through labor and other non-protection-related programs.”

Additionally, the order called for the secretaries of State and Homeland Security to review opportunities to better identify and process migrants who are eligible for resettlement in the United States, as well as opportunities to provide more Northern Triangle migrants with access to visa programs. This review would include an assessment of Trump’s Migrant Protection Protocols, which required asylum seekers to wait in Mexico while their cases were processed. This policy effectively stranded roughly 60,000 people in border towns as they waited for court hearings—overwhelming shelters set up by the Mexican government. Biden later attempted to roll back this policy, but a legal challenge mounted by Texas and Missouri resulted in the U.S. Supreme Court ruling that the policy must stand because the administration did not follow the right process to undo it.

The Biden administration hailed the executive orders as important steps toward dismantling Trump’s damaging immigration policies, but immigration advocates expressed frustration that Biden was not moving quickly enough because the orders generally did not involve immediate action. Instead, they called for policy reviews and the preparation of reports before further action could be taken. The administration called for patience, noting that rules and regulations had to be rewritten—a very lengthy process—and that in some cases congressional action would be required.

A MIGRATION SURGE

While immigration advocates clamored for faster reform, Biden also faced criticisms from the right and left that his administration was creating and failing to address a new crisis at the border. U.S. Customs and Border Protection (CBP) began reporting a surge in migrants arriving at the southern border shortly after Biden's election in November 2020. In February, CBP apprehended approximately 100,000 migrants, the highest number reported since a mid-2019 spike. Monthly arrests continued to rise, and by April 2021, CBP reported the highest level of arrests and detentions in twenty years. The influx included a growing number of unaccompanied minors. As of mid-March, official data showed there were more than 10,000 unaccompanied migrant children under the care of the U.S. Department of Health and Human Services. Another 5,000 were being cared for by CBP while they awaited processing and transfer to federal shelters.

Biden's critics blamed his rollback of Trump policies for the influx. "It turns out when politicians spend a two-year campaign advertising a porous border and amnesty, people listen," said Senate minority leader Mitch McConnell, R-Ky. Observers attributed at least some of the rise in migration to two major hurricanes that devastated parts of Central America late in 2020, but many also acknowledged that some Biden policies—such as a declaration that his administration would allow unaccompanied minors into the United States—influenced migrants' decision to come north.

Biden dismissed criticism that more immigrants were arriving because they thought he was a "nice guy" and argued that most were being returned across the border under Title 42, a Trump-issued public health order that allows officials to rapidly expel immigrants before they can seek asylum. (This order was issued and remains in place due to concerns about migrants contributing to the spread of COVID-19.) Administration officials repeatedly issued public pleas, bolstered by an ad campaign in Central America, to dissuade migrants from coming to the United States. Biden also announced in July that he was renewing the expedited removals policy, which allows border officials to quickly determine whether a migrant caught entering illegally is eligible for asylum.

BUILDING COLLABORATION WITH MEXICO

As Biden pursued various regulatory changes, he sought to build a collaborative relationship with Mexican president Andrés Manuel López Obrador. The two leaders conducted a bilateral meeting on March 1 after which they issued a joint declaration indicating their desire to work together on a variety of issues. The declaration acknowledged migrants' many contributions to both countries and "committed to immigration policies that recognize the dignity of migrants and the imperative of orderly, safe, and regular migration." Biden and Obrador agreed to collaborate on addressing the root causes of migration and improving migration management, in addition to working to combat COVID-19 and climate change. The first concrete action that appeared to come from this declaration occurred on March 18. Senior officials from both countries announced that the United States had agreed to provide Mexico with excess doses of AstraZeneca's COVID-19 vaccine, while Mexico closed its southern border to nonessential travel and pledged to accept more migrant families expelled from the United States under Title 42. Then in early June, the White House announced that the U.S.–Mexico High-Level Economic Dialogue would resume in September, with goals including the promotion of sustainable economic and social development in southern Mexico and Central America. (The dialogue began in 2013 but was suspended by Trump after he claimed Mexico was sending criminals over

the U.S. border.) The White House also announced the two governments would hold a cabinet-level dialogue about working together to reduce homicides and drug-related deaths; a package of grants, loans, and other commitments to generate economic growth in southern Mexico; a collaborative law enforcement effort to crack down on human trafficking and human smuggling operations; and an investment of \$130 million in technical assistance to help Mexico implement labor reforms.

HUMANITARIAN ASSISTANCE FOR CENTRAL AMERICA

Another component of the Biden administration's initial immigration strategy involved increasing the provision of humanitarian aid and other assistance to Central American countries. In April, the White House announced \$310 million in assistance for El Salvador, Guatemala, and Honduras, of which \$255 million was earmarked for health and education services, combatting COVID-19, and providing drought relief and security for vulnerable populations. The remaining \$55 million was designated to address food insecurity in Guatemala and Honduras. In May, the administration released its fiscal year 2022 budget request, which included \$861 million to help address root causes of migration in Central America. A statement from the United States Agency for International Development characterized the money as a "down payment on the Administration's four-year commitment to address economic insecurity, combat corruption, promote human rights, bolster security, and combat gender-based violence in the region." In June, the administration announced \$57 million to "help meet the immediate humanitarian needs of forcibly displaced persons and support access to protection" in Belize, Costa Rica, El Salvador, Guatemala, Honduras, Mexico, and Panama. In total, the Biden administration has proposed a four-year, \$4 billion development program for Mexico and Central America.

—Linda Grimm

Following is the text of Proclamation 10142, issued by President Joseph R. Biden on January 20, 2021, ending the emergency at the southern border and redirecting funding for the border wall; Executive Order 14010, signed by Biden on February 2, 2021, that would create a framework to address and manage migration through North and Central America; the U.S.–Mexico Joint Declaration of March 1, 2021; a White House fact sheet published on April 26, 2021, outlining additional humanitarian assistance for Central America; a readout of a bilateral meeting between Biden and Mexican president Andrés Manuel López Obrador on June 8, 2021; and a press release issued by the U.S. State Department on June 10, 2021, announcing additional aid for Central American countries.



President Biden Ends Border Emergency and Redirects Border Wall Funds

January 20, 2021

Like every nation, the United States has a right and a duty to secure its borders and protect its people against threats. But building a massive wall that spans the entire southern border

is not a serious policy solution. It is a waste of money that diverts attention from genuine threats to our homeland security. My Administration is committed to ensuring that the United States has a comprehensive and humane immigration system that operates consistently with our Nation's values. In furtherance of that commitment, I have determined that the declaration of a national emergency at our southern border in Proclamation 9844 of February 15, 2019 (Declaring a National Emergency Concerning the Southern Border of the United States), was unwarranted. It shall be the policy of my Administration that no more American taxpayer dollars be diverted to construct a border wall. I am also directing a careful review of all resources appropriated or redirected to construct a southern border wall.

Now, Therefore, I, Joseph R. Biden Jr., President of the United States of America, by the authority vested in me by the Constitution and the laws of the United States of America, including section 202 of the National Emergencies Act (50 U.S.C. 1601 et seq.), hereby declare that the national emergency declared by Proclamation 9844, and continued on February 13, 2020 (85 Fed. Reg. 8715), and January 15, 2021, is terminated and that the authorities invoked in that proclamation will no longer be used to construct a wall at the southern border. I hereby further direct as follows:

Section 1. Pause in Construction and Obligation of Funds.

- a. The Secretary of Defense and the Secretary of Homeland Security, in consultation with the Director of the Office of Management and Budget, shall direct the appropriate officials within their respective departments to:
 - i. pause work on each construction project on the southern border wall, to the extent permitted by law, as soon as possible but in no case later than seven days from the date of this proclamation, to permit:
 - A. assessment of the legality of the funding and contracting methods used to construct the wall;
 - B. assessment of the administrative and contractual consequences of ceasing each wall construction project; and
 - C. completion and implementation of the plan developed in accordance with section 2 of this proclamation;
 - ii. pause immediately the obligation of funds related to construction of the southern border wall, to the extent permitted by law . . .
- b. The pause directed in subsection (a)(i) of this section shall apply to wall projects funded by redirected funds as well as wall projects funded by direct appropriations. The Secretary of Defense and the Secretary of Homeland Security may make an exception to the pause, however, for urgent measures needed to avert immediate physical dangers or where an exception is required to ensure that funds appropriated by the Congress fulfill their intended purpose.

Sec. 2. Plan for Redirecting Funding and Repurposing Contracts. The Secretary of Defense and the Secretary of Homeland Security, in coordination with the Secretary of the Treasury, the Attorney General, the Director of the Office of Management and Budget, and the heads of any other appropriate executive departments and agencies, and in consultation with the Assistant to the President for National Security Affairs, shall develop a plan for the redirection of funds concerning the southern border wall, as appropriate and consistent with applicable law. The process of developing the plan shall include consideration of terminating or repurposing contracts with private contractors engaged in wall construction, while

providing for the expenditure of any funds that the Congress expressly appropriated for wall construction, consistent with their appropriated purpose. The plan shall be developed within 60 days from the date of this proclamation. After the plan is developed, the Secretary of Defense and the Secretary of Homeland Security shall take all appropriate steps to resume, modify, or terminate projects and to otherwise implement the plan.

[Sections 3 and 4, containing definitions and general provisions, have been omitted.]

SOURCE: Executive Office of the President. "Proclamation 10142—Termination of Emergency With Respect to the Southern Border of the United States and Redirection of Funds Diverted to Border Wall Construction." January 20, 2021. *Compilation of Presidential Documents* 2021, no. 00053 (January 20, 2021). <https://www.govinfo.gov/content/pkg/DCPD-202100053/pdf/DCPD-202100053.pdf>.



Executive Order on Migration Management Through North and Central America

February 2, 2021

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the Immigration and Nationality Act (INA), 8 U.S.C. 1101 *et seq.*, it is hereby ordered as follows:

Section 1. Policy. For generations, immigrants have come to the United States with little more than the clothes on their backs, hope in their hearts, and a desire to claim their own piece of the American Dream. These mothers, fathers, sons, and daughters have made our Nation better and stronger.

The United States is also a country with borders and with laws that must be enforced. Securing our borders does not require us to ignore the humanity of those who seek to cross them. The opposite is true. We cannot solve the humanitarian crisis at our border without addressing the violence, instability, and lack of opportunity that compel so many people to flee their homes. Nor is the United States safer when resources that should be invested in policies targeting actual threats, such as drug cartels and human traffickers, are squandered on efforts to stymie legitimate asylum seekers.

Consistent with these principles, my Administration will implement a multi-pronged approach toward managing migration throughout North and Central America that reflects the Nation's highest values. We will work closely with civil society, international organizations, and the governments in the region to: establish a comprehensive strategy for addressing the causes of migration in the region; build, strengthen, and expand Central and North American countries' asylum systems and resettlement capacity; and increase opportunities for vulnerable populations to apply for protection closer to home. At the same time, the United States will enhance lawful pathways for migration to this country and will restore and strengthen our own asylum system, which has been badly damaged by policies enacted over the last 4 years that contravened our values and caused needless human suffering.

Sec. 2. United States Strategies for Addressing the Root Causes of Irregular Migration and for Collaboratively Managing Migration in the Region.

- a. The Assistant to the President for National Security Affairs (APNSA), in coordination with the Secretary of State, the Attorney General, the Secretary of Homeland Security, and the heads of any other relevant executive departments and agencies, shall as soon as possible prepare:
 - i. the United States Strategy for Addressing the Root Causes of Migration (the “Root Causes Strategy”); and
 - ii. the United States Strategy for Collaboratively Managing Migration in the Region (the “Collaborative Management Strategy”).
- b. The Root Causes Strategy shall identify and prioritize actions to address the underlying factors leading to migration in the region and ensure coherence of United States Government positions. The Root Causes Strategy shall take into account, as appropriate, the views of bilateral, multilateral, and private sector partners, as well as civil society, and it shall include proposals to:
 - i. coordinate place-based efforts in El Salvador, Guatemala, and Honduras (the “Northern Triangle”) to address the root causes of migration, including by:
 - A. combating corruption, strengthening democratic governance, and advancing the rule of law;
 - B. promoting respect for human rights, labor rights, and a free press;
 - C. countering and preventing violence, extortion, and other crimes perpetrated by criminal gangs, trafficking networks, and other organized criminal organizations;
 - D. combating sexual, gender-based, and domestic violence; and
 - E. addressing economic insecurity and inequality;
 - ii. consult and collaborate with the Office of the United States Trade Representative, the Secretary of Commerce, and the Secretary of Labor to evaluate compliance with the Dominican Republic-Central America Free Trade Agreement to ensure that unfair labor practices do not disadvantage competition; and
 - iii. encourage the deployment of Northern Triangle domestic resources and the development of Northern Triangle domestic capacity to replicate and scale efforts to foster sustainable societies across the region.
- c. The Collaborative Management Strategy shall identify and prioritize actions to strengthen cooperative efforts to address migration flows, including by expanding and improving upon previous efforts to resettle throughout the region those migrants who qualify for humanitarian protection. The Collaborative Management Strategy should focus on programs and infrastructure that facilitate access to protection and other lawful immigration avenues, in both the United States and partner countries, as close to migrants’ homes as possible. Priorities should include support for expanding pathways through which individuals facing difficult or dangerous conditions in their home countries can find stability and safety in receiving countries throughout the region, not only through asylum and refugee resettlement, but also through labor and other non-protection-related programs. To support the development of the Collaborative Management Strategy, the United States Government shall promptly begin consultations with civil society, the private sector,

international organizations, and governments in the region, including the Government of Mexico. These consultations should address:

- i. the continued development of asylum systems and resettlement capacities of receiving countries in the region, including through the provision of funding, training, and other support;
- ii. the development of internal relocation and integration programs for internally displaced persons, as well as return and reintegration programs for returnees in relevant countries of the region; and
- iii. humanitarian assistance, including through expansion of shelter networks, to address the immediate needs of individuals who have fled their homes to seek protection elsewhere in the region.

Sec. 3. Expansion of Lawful Pathways for Protection and Opportunity in the United States.

- a. The Secretary of State and the Secretary of Homeland Security shall promptly review mechanisms for better identifying and processing individuals from the Northern Triangle who are eligible for refugee resettlement to the United States. Consideration shall be given to increasing access and processing efficiency. As part of this review, the Secretary of State and the Secretary of Homeland Security shall also identify and implement all legally available and appropriate forms of relief to complement the protection afforded through the United States Refugee Admissions Program. The Secretary of State and Secretary of Homeland Security shall submit a report to the President with the results of the review.
- b. As part of the review conducted pursuant to section 3(a) of this order, the Secretary of Homeland Security shall:
 - i. consider taking all appropriate actions to reverse the 2017 decision rescinding the Central American Minors (CAM) parole policy and terminating the CAM Parole Program, see “Termination of the Central American Minors Parole Program,” 82 Fed. Reg. 38,926 (August 16, 2017), and consider initiating appropriate actions to reinstitute and improve upon the CAM Parole Program; and
 - ii. consider promoting family unity by exercising the Secretary’s discretionary parole authority to permit certain nationals of the Northern Triangle who are the beneficiaries of approved family-sponsored immigrant visa petitions to join their family members in the United States, on a case-by-case basis.
- c. The Secretary of State and the Secretary of Homeland Security shall promptly evaluate and implement measures to enhance access for individuals from the Northern Triangle to visa programs, as appropriate and consistent with applicable law.

Sec. 4. Restoring and Enhancing Asylum Processing at the Border.

- a. *Resuming the Safe and Orderly Processing of Asylum Claims at United States Land Borders.*
 - i. The Secretary of Homeland Security and the Director of the Centers for Disease Control and Prevention (CDC), in coordination with the Secretary of State, shall promptly begin consultation and planning with international and non-governmental organizations to develop policies and procedures for the safe and orderly processing of asylum claims at United States land borders, consistent with public health and safety and capacity constraints.

- ii. The Secretary of Homeland Security, in consultation with the Attorney General, the Secretary of Health and Human Services (HHS), and the Director of CDC, shall promptly begin taking steps to reinstate the safe and orderly reception and processing of arriving asylum seekers, consistent with public health and safety and capacity constraints. Additionally, in furtherance of this goal, as appropriate and consistent with applicable law:
 - A. The Secretary of HHS and the Director of CDC, in consultation with the Secretary of Homeland Security, shall promptly review and determine whether termination, rescission, or modification of the following actions is necessary and appropriate: “Order Suspending the Right To Introduce Certain Persons From Countries Where a Quarantinable Communicable Disease Exists,” 85 Fed. Reg. 65,806 (October 13, 2020); and “Control of Communicable Diseases; Foreign Quarantine: Suspension of the Right to Introduce and Prohibition of Introduction of Persons into United States from Designated Foreign Countries or Places for Public Health Purposes,” 85 Fed. Reg. 56,424 (September 11, 2020) (codified at 42 C.F.R. 71.40).
 - B. The Secretary of Homeland Security shall promptly review and determine whether to terminate or modify the program known as the Migrant Protection Protocols (MPP), including by considering whether to rescind the Memorandum of the Secretary of Homeland Security titled “Policy Guidance for Implementation of the Migrant Protection Protocols” (January 25, 2019), and any implementing guidance. In coordination with the Secretary of State, the Attorney General, and the Director of CDC, the Secretary of Homeland Security shall promptly consider a phased strategy for the safe and orderly entry into the United States, consistent with public health and safety and capacity constraints, of those individuals who have been subjected to MPP for further processing of their asylum claims.
 - C. The Attorney General and the Secretary of Homeland Security shall promptly review and determine whether to rescind the interim final rule titled “Aliens Subject to a Bar on Entry Under Certain Presidential Proclamations; Procedures for Protection Claims,” 83 Fed. Reg. 55,934 (November 9, 2018), and the final rule titled “Asylum Eligibility and Procedural Modifications,” 85 Fed. Reg. 82,260 (December 17, 2020), as well as any agency memoranda or guidance that were issued in reliance on those rules.
 - D. The Attorney General and the Secretary of Homeland Security shall promptly review and determine whether to rescind the interim final rule titled “Implementing Bilateral and Multilateral Asylum Cooperative Agreements Under the Immigration and Nationality Act,” 84 Fed. Reg. 63,994 (November 19, 2019), as well as any agency memoranda or guidance issued in reliance on that rule. In the interim, the Secretary of State shall promptly consider whether to notify the governments of the Northern Triangle that, as efforts to establish a cooperative, mutually respectful approach to managing migration across the region begin, the United States intends to suspend and terminate the following agreements:
 - 1. “Agreement Between the Government of the United States of America and the Government of the Republic of Guatemala on Cooperation Regarding the Examination of Protection Claims,” 84 Fed. Reg. 64,095 (July 26, 2019).

2. “Agreement Between the Government of the United States of America and the Government of the Republic of El Salvador for Cooperation in the Examination of Protection Claims,” 85 Fed. Reg. 83,597 (September 20, 2019).
 3. “Agreement Between the Government of the United States of America and the Government of the Republic of Honduras for Cooperation in the Examination of Protection Claims,” 85 Fed. Reg. 25,462 (September 25, 2019).
- E. The Secretary of Homeland Security shall promptly cease implementing the “Prompt Asylum Case Review” program and the “Humanitarian Asylum Review Program” and consider rescinding any orders, rules, regulations, guidelines or policies implementing those programs . . .
- b. *Ensuring a Timely and Expedited Removal Process.*
- i. The Secretary of Homeland Security, with support from the United States Digital Service within the Office of Management and Budget, shall promptly begin a review of procedures for individuals placed in expedited removal proceedings at the United States border. Within 120 days of the date of this order, the Secretary of Homeland Security shall submit a report to the President with the results of this review and recommendations for creating a more efficient and orderly process that facilitates timely adjudications and adherence to standards of fairness and due process.
 - ii. The Secretary of Homeland Security shall promptly review and consider whether to modify, revoke, or rescind the designation titled “Designating Aliens for Expedited Removal,” 84 Fed. Reg. 35,409 (July 23, 2019), regarding the geographic scope of expedited removal pursuant to INA section 235(b)(1), 8 U.S.C. 1225(b)(1), consistent with applicable law. The review shall consider our legal and humanitarian obligations, constitutional principles of due process and other applicable law, enforcement resources, the public interest, and any other factors consistent with this order that the Secretary deems appropriate . . .
- c. *Asylum Eligibility.* The Attorney General and the Secretary of Homeland Security shall:
- i. within 180 days of the date of this order, conduct a comprehensive examination of current rules, regulations, precedential decisions, and internal guidelines governing the adjudication of asylum claims and determinations of refugee status to evaluate whether the United States provides protection for those fleeing domestic or gang violence in a manner consistent with international standards; and
 - ii. within 270 days of the date of this order, promulgate joint regulations, consistent with applicable law, addressing the circumstances in which a person should be considered a member of a “particular social group,” as that term is used in 8 U.S.C. 1101(a)(42)(A), as derived from the 1951 Convention relating to the Status of Refugees and its 1967 Protocol . . .

SOURCE: Executive Office of the President. “Executive Order 14010—Creating a Comprehensive Regional Framework to Address the Causes of Migration, to Manage Migration Throughout North and Central America, and to Provide Safe and Orderly Processing of Asylum Seekers at the United States Border.” February 2, 2021. *Compilation of Presidential Documents* 2021, no. 00109 (February 2, 2021). <https://www.govinfo.gov/content/pkg/DCPD-202100109/pdf/DCPD-202100109.pdf>.



U.S., Mexico Issue Joint Declaration on Migration

March 1, 2021

President Joe Biden hosted Mexican President Andres Manuel Lopez Obrador on March 1 for a virtual bilateral meeting to review cooperation on migration and to advance joint efforts to promote development in Southern Mexico and the Northern Triangle of Central America . . . Both leaders committed to working together to combat the COVID-19 pandemic, to reinvigorate economic cooperation, and to explore areas of cooperation on climate change. They also reaffirmed the importance of combating corruption and security cooperation.

Bilateral and Multilateral Cooperation on Migration

Both leaders recognized the many contributions of migrants to the economic strength, cultural diversity, and innovative spirit of the United States and Mexico, and committed to immigration policies that recognize the dignity of migrants and the imperative of orderly, safe, and regular migration. They agreed to collaborate on a joint effort to address the root causes of regional migration, to improve migration management, and to develop legal pathways for migration. Respectively, they directed the Secretariat of Foreign Relations and the Department of State to engage with the governments of neighboring countries, civil society, and private sectors through policies that promote equitable and sustainable economic development, combat corruption, and improve law enforcement cooperation against transnational criminal smuggling networks.

Bilateral Cooperation for the Response and Recovery from COVID-19

Both Presidents reaffirmed the importance of close collaboration to respond to the COVID-19 pandemic, particularly in areas related to economic and health cooperation. They agreed to deepen cooperation on pandemic response, including by enhancing public health capabilities, information sharing, and the development of border policies. Recognizing the strategic importance of the bilateral economic relationship, they reaffirmed their shared commitment to the United States-Mexico-Canada Agreement (USMCA) as a driver for North American prosperity and labor rights in both countries by generating job opportunities, improving worker protections, and preventing forced labor. Both leaders agreed to strengthen supply chain resilience and security. The leaders also agreed to re-start the High-Level Economic Dialogue to further these aims.

Bilateral Climate Change Cooperation

The two Presidents highlighted the importance of tackling the climate crisis and agreed to explore areas of cooperation. The leaders acknowledged the benefits of addressing short-lived climate pollutants, as well as the need to promote energy efficiency . . .

SOURCE: The White House. "U.S.-Mexico Joint Declaration." March 1, 2021. <https://www.whitehouse.gov/briefing-room/statements-releases/2021/03/01/u-s-mexico-joint-declaration>.



White House Releases Fact Sheet on Relief for Central America

April 26, 2021

In light of the dire situation and acute suffering faced by millions of people in El Salvador, Guatemala, and Honduras, Vice President Harris announced an additional \$310 million in U.S. government support for humanitarian relief and to address food insecurity.

Humanitarian Relief (\$255M)

- USAID will provide \$125M to mitigate the impact of recurrent drought, food shortages, and the ongoing COVID-19 pandemic. These funds will provide emergency food assistance, improve livelihoods, and provide protection for the most vulnerable persons.
- The U.S. Department of State will provide \$104M to meet the immediate safety and protection needs of refugees, asylum seekers, internally displaced persons, and other vulnerable populations in the region.
- The U.S. Department of Defense will provide \$26M to increase its partnership activities in the region to provide essential health, education, and disaster relief services to the people of Guatemala, Honduras, and El Salvador.

Assistance to Address Food Insecurity (\$55M)

- The U.S. Department of Agriculture (USDA) will provide \$25M to strengthen the Guatemalan agricultural sector and facilitate access to financing that will enable farmers to rebuild their livelihoods at home in Guatemala.
- In Guatemala and Honduras, USDA will provide \$30M to immediately expand access to daily meals and literacy activities to school children.

SOURCE: The White House. "FACT SHEET: Urgent Relief to Central America." April 26, 2021. <https://www.whitehouse.gov/briefing-room/statements-releases/2021/04/26/fact-sheet-urgent-relief-to-central-america>.



White House Releases Fact Sheet on U.S.–Mexico Bilateral Cooperation

June 8, 2021

Following a bilateral meeting with Mexican President Andrés Manuel López Obrador on June 8, 2021, and in light of the United States and Mexico's deep cultural, social, and economic ties and the two governments' shared commitment to a prosperous and secure North America, Vice President Harris announces the following:

High-Level Economic Dialogue: The United States and Mexico agreed to hold a High-Level Economic Dialogue in September . . . The proposed agenda will cover key themes, such as trade facilitation, telecommunications and interconnectivity, and supply chain resiliency.

Cabinet-Level Security Dialogue: The United States and Mexico agreed to hold a cabinet-level security dialogue to discuss a shared vision for security. Transnational criminal organizations do not recognize borders. They pose a threat to all peoples and require a joint response. The United States and Mexico are committed to working together to reduce homicides and drug-related deaths on both sides of the border and counter the illicit forces that drive them.

Strengthen Labor Cooperation: The United States will invest an additional \$130 million in technical assistance and cooperation over the next three years to work with Mexico as it implements labor legislation and to fund programs that will support workers, improve working conditions, and address child and forced labor . . .

Work Together To Address Root Causes of Migration in Central America: The governments of the United States and Mexico signed a memorandum of understanding to establish a strategic partnership to address the lack of economic opportunities in northern Central America. The two governments will work together to foster agricultural development and youth empowerment programs in El Salvador, Honduras and Guatemala and will co-create and co-manage a partnership program enabling them to better deliver, measure, and communicate about assistance to the region.

Operations Group on Human Smuggling and Human Trafficking: U.S. and Mexican law enforcement agencies will partner to exchange information and take appropriate actions to address the shared priority of disabling human trafficking and human smuggling organizations. These groups prey on vulnerable individuals, falsely promising them safe passage or a good job in the United States in exchange for their savings. In fact, these organizations often use lies and threats to lure migrants into being trafficked or leave them stranded in Mexico or at the border, far from help and without basic supplies. Law enforcement agencies will work jointly to identify targets, develop investigations, and take enforcement actions such as freezing bank accounts associated with criminal groups.

Attract Investment to Southern Mexico: The U.S. government has developed a package of grants, loans, and other commitments that will help generate broad-based growth in southern Mexico, create jobs and reduce economic inequality in the region. The U.S. government will aim to create \$250 million in new investment and sales in southern Mexico by strengthening rural value chains such as cacao, coffee, and eco-tourism. The U.S. International Development Finance Cooperation will issue a loan to support affordable housing and mortgages; 40 to 50 percent of new homes will be built in southern Mexico . . .

Partnership to Resolve Disappearances Cases in Mexico: The United States and Mexico will work to expand forensic capacity and partnerships to help solve the more than 82,000 cases of missing persons and disappearances in Mexico, potentially bringing closure to tens of thousands of families and ending impunity for offenders . . .

SOURCE: The White House. "FACT SHEET: U.S.-Mexico Bilateral Cooperation." June 8, 2021. <https://www.whitehouse.gov/briefing-room/statements-releases/2021/06/08/fact-sheet-u-s-mexico-bilateral-cooperation-2>.



State Department Announces Humanitarian Assistance for Central America

June 10, 2021

Senior Advisor to the President on Migration Amy Pope announced more than \$57 million in new humanitarian assistance at the June 10 Solidarity Event for Forcibly Displaced Persons and Host Communities in Central America and Mexico . . . This assistance is the latest in a series of steps that the United States has taken to implement our ambitious, multi-pronged approach to address the root causes of irregular migration and strengthen collaborative migration management across the region. Through our international organization partners, this assistance will help meet the immediate humanitarian needs of forcibly displaced persons and support access to protection in line with the national action plans of the Comprehensive Regional Protection and Solutions Framework (MIRPS) countries—Belize, Costa Rica, El Salvador, Guatemala, Honduras, Mexico, and Panama . . .

International cooperation will continue to be essential for safe, orderly, and humane migration, as well as efficient, humane migration management . . . The United States is the world's largest single humanitarian donor and we urge others to join us in our commitment to respond to the needs of vulnerable people across Central America and Mexico.

SOURCE: U.S. Department of State. "Announcing New Assistance to Respond to Humanitarian Challenges in Central America." June 10, 2021. <https://www.state.gov/announcing-new-assistance-to-respond-to-humanitarian-challenges-in-central-america>.

OTHER HISTORIC DOCUMENTS OF INTEREST

FROM THIS VOLUME

- Trump Gives Farewell Address; Biden Sworn in as President of the United States, p. 80

FROM PREVIOUS *HISTORIC DOCUMENTS*

- Supreme Court Rules on DACA Program, 2020, p. 360
- Supreme Court Rules on Habeas Corpus for Asylum Seekers, 2020, p. 370
- President Trump and Congressional Leaders Remark on Border Wall Funding Fight and Government Shutdown, 2019, p. 3
- President Trump Declares a National Emergency on the Southern Border, 2019, p. 89
- Trump Administration and Supreme Court Issue Immigration Orders, 2019, p. 400

Senators Remark on Power-Sharing Agreement and Filibuster

JANUARY 26 AND FEBRUARY 3, 2021

A Senate divided 50–50 heading into the 117th Congress required that chamber leadership establish rules governing how the two parties would conduct business and share power. While Majority Leader Chuck Schumer, D-N.Y., and Minority Leader Mitch McConnell, R-Ky., used a similar 2001 power-sharing arrangement as their framework, reaching a final workable pact hinged on the filibuster. McConnell wanted a guarantee that the Democrats would not seek to change or eliminate its use. Although Schumer refused, two centrist Democrats came forward with statements of support for the filibuster, allowing the power-sharing agreement to move forward. Debate over the filibuster continued throughout the year, as Republicans blocked Democratic priorities and Democrats pressed their colleagues to find ways to limit its use.

SPLIT CHAMBER NECESSITATES POWER-SHARING AGREEMENT

After the January 20, 2021, seating of newly elected Democratic senators Raphael Warnock and Jon Ossoff, both of Georgia, the chamber was split 50–50. Without a single party holding the majority of seats, Democrats and Republicans needed to establish a power-sharing agreement to govern day-to-day operations, including committee organization, debate procedures, and floor agenda control. During the 107th Congress from 2001 to 2003, the last time the Senate was equally divided, leadership developed what to that point was an unprecedented—and relatively shaky—framework addressing these organizational issues. Schumer and McConnell were encouraged by members of their party and the president to utilize this agreement as the basis for how the Senate would operate during the 117th Congress.

Negotiations on the power-sharing agreement were fraught from the start because McConnell refused to endorse any plan unless Schumer and the Democrats would commit to maintaining the filibuster. The filibuster is a procedural tool that essentially allows the minority party to delay or block debate or passage of a piece of legislation. The filibuster is not codified in law; rather, the Senate's own rules have evolved over time to allow for its use. This means it is also within the Senate's power to amend or kill the filibuster—the so-called nuclear option—and allow debate or votes to proceed on bills with only a simple majority vote. At a time characterized by intense polarization, and with a 50–50 tie in the Senate, eliminating the filibuster would give Democrats the opportunity to pass legislation without bipartisan support.

Most Democrats dismissed McConnell's request, viewing it as evidence that the minority leader intended to obstruct the Biden-Harris legislative agenda. "Mitch McConnell will not dictate to the Senate what we should do and how we should proceed," Schumer said, adding, "McConnell is no longer the majority leader." For his part,

McConnell argued that eliminating the filibuster would cause “immediate chaos” in the Senate and would later backfire on Democrats when they were in the minority. This stand-off resulted in an unusual start to the Senate’s new term. Republican committee chairs from the previous Congress maintained their positions even while Democrats held control over what bills would come to the floor, while some committees did not have a chair and new members were not given assignments, which left an unequal balance of party representation on a number of committees. Despite this, some committee business proceeded, mostly on nominations for federal officeholders.

McConnell eventually relented on January 25, not because of any guarantee from Schumer, but rather due to the public statements of two centrist Democrats: Joe Manchin of West Virginia and Kyrsten Sinema of Arizona. Sinema’s office said the senator was “not open to changing her mind” about her support for the filibuster, while Manchin told POLITICO, “I will not vote in this Congress” to change the filibuster. In voicing his support of the power-sharing agreement, McConnell remarked, “The legislative filibuster was a key part of the foundation beneath the Senate’s last 50–50 power-sharing agreement in 2001.” He went on, “With these assurances, I look forward to moving ahead with a power-sharing agreement modeled on that precedent.” In response, Justin Goodman, a spokesperson for Schumer, said, “We’re glad Senator McConnell threw in the towel and gave up on his ridiculous demand.” On the floor, Schumer looked forward to the work the Senate would do in the coming months saying, “I am confident our members are ready to hit the ground running on the most important issues that face our country.”

FINAL POWER-SHARING AGREEMENT REFLECTS 2001 PROCEDURES

The final power-sharing agreement, S. Res. 27, adopted in the Senate by unanimous consent on February 3, 2021, was similar to its 2001 predecessor. Each committee would have an equal number of Democrats and Republicans, with Democrats serving as committee chairs. In instances of a tied committee vote, a procedure was created to allow either McConnell or Schumer to bring the legislation to the floor. If a subcommittee vote was tied, the committee chair could decide to discharge the legislation and place it on the committee’s agenda. While Democrats would control the floor agenda, the agreement stated that “both Leaders shall seek to attain an equal balance of the interests of the two parties when scheduling and debating legislative and executive business generally” and it did not prohibit either the minority leader or any member from moving to proceed on an item. Further, the agreement prohibited any member from invoking cloture, that is, moving to end debate, within the first twelve hours that an amendable piece of legislation is on the floor.

The terms of the arrangement would remain in effect until one party gained the majority, either through retirement, death, or a senator switching parties. (The terms of the 2001 agreement were only in place for five months before one member became an Independent and chose to caucus with the Republicans.) There was no provision added regarding the filibuster.

In practice, although committees were evenly divided, because Democrats had control of the calendar in both committees and on the floor, they were able to prioritize their agenda. With a 50–50 split in the chamber, and a tight Democratic majority in the House, however, it remained to be seen whether this would actually give them the upper hand in getting their bills to President Joseph R. Biden’s desk.

FILIBUSTER HAMPERS PROGRESS IN DIVIDED SENATE

The filibuster stems from a housekeeping decision made by the Senate in 1806 to strike from its rules a provision that required only a simple majority to immediately end debate and force a vote on the issue at hand. At that time, the Senate saw the provision as unnecessary because it was infrequently used and was similar enough to other tools at its disposal. The term *filibuster*, derived from Dutch and Spanish words that describe pirate raids in the Caribbean, did not appear in Congressional debates until the mid-nineteenth century, when it was used to describe talking a bill to death. At the time, senators could take the floor and speak ad nauseum, holding up not only the bill they sought to block but also all other legislative business. As a result, senators used the tactic to get support from members who were hoping to get their own bills passed, but who could not do so until the filibuster ended. Multiple senators attempted to ban the filibuster, but ultimately those opposing such a measure would just filibuster it.

It was not until 1917 when the Senate adopted a new rule, frequently referred to as “cloture,” to limit debate on a measure with a two-thirds vote. That threshold, however, was difficult to overcome and senators continued to use filibusters to block legislation. In 1975, the Senate changed its rules to require only a three-fifths majority to invoke cloture. In this same decade, Senate leaders allowed bills that would be filibustered to be delayed while business proceeded on other issues. This meant it was no longer necessary for senators to stand for hours holding the floor, doing everything from offering recipes for oysters to reading the voting laws of every state to reciting Dr. Seuss’s *Green Eggs and Ham*. Today, a Senate staffer can simply email their member’s objection.

Importantly, the filibuster does not come into play during final passage of a bill because Senate rules require just a fifty-one-member majority. Instead, it has to do with the procedural hurdles a bill goes through before passage. One of these involves ending debate. In these cases, a senator asks for unanimous consent to end debate. If no senator objects, the bill moves to a final vote. However, as is more common today, once one senator objects, the majority leader must then file a cloture motion to end debate, triggering the sixty-vote supermajority before a bill can move to a final vote. Notably, there are some exceptions to this rule. Tax and spending measures can move to a vote with a simple majority through the budget reconciliation process. And in the 2010s, the Senate adopted rules requiring only a simple majority to end debate on executive branch and federal court nominations.

DEMOCRATS CALL FOR CHANGES TO THE FILIBUSTER

With no formal agreement on the filibuster between Schumer and McConnell, the most ardent filibuster opponents on the left pushed to either eliminate the option outright or limit its power and make it more difficult for members to block debate. These members got little support from the White House where President Biden, a former senator, continued to tout the need for bipartisanship and express his support for existing Senate rules and precedent. According to White House press secretary Jen Psaki, Biden’s “preference is not to get rid of the filibuster,” though the president did endorse the idea of requiring senators to physically filibuster a bill and hold the floor. Moreover, the president’s first priority, passing a \$1.9 trillion COVID-19 relief package, could go through the budget reconciliation process, so it could bypass the need for a supermajority to end debate.

Other pieces of the president’s agenda, however, including voting rights and climate change legislation, would not be able to rely on budget reconciliation. Some Democrats—even the party’s more moderate members—saw McConnell’s early actions as an indication

that Republicans were intent on subverting the Democratic agenda in any way possible. In turn, Schumer threatened his colleagues across the aisle that if they could not work together, he would choose the nuclear option. On the floor, McConnell painted a picture for members of what a filibuster-free Senate would look like, saying, “Nobody serving in this chamber can even begin to imagine what a completely scorched-earth Senate would look like.” He anticipated that without it, members would need to be present in the chamber at all hours of the day and night, and, when Republicans again had control of the Senate, he said, “We wouldn’t just erase every liberal change that hurt the country. We’d strengthen America with all kinds of conservative policies with zero input from the other side.”

Changing or eliminating the maneuver came to the forefront again in May, when Republicans filibustered the Democrats’ attempt to form a commission to investigate the January 6 attack on the U.S. Capitol. “If you can’t get a Republican to support a nonpartisan analysis of why the Capitol was attacked for the first time since the War of 1812, then what are you holding out hope for,” asked Senator Tim Kaine, D-Va. Schumer said, “Everything is on the table” in regard to the filibuster, noting, “I think the events of the last few days probably made every member of our caucus realize that a lot of our Republican colleagues are not willing to work with us on a whole lot of issues, even issues where we try to be bipartisan.” It was raised again in October, when Republicans, for the third time, voted unanimously against beginning debate on a federal voting rights bill that would, among other things, expand early and mail voting, make Election Day a federal holiday, prohibit partisan gerrymandering, prevent voter roll purges, and implement same-day voter registration. “What we can’t accept is a situation where one side is calling for bipartisan debate and bipartisan cooperation while the other refuses to even engage in a dialogue. If our Republican colleagues don’t like our ideas, they have a responsibility to present their own,” Schumer said.

By the end of 2021, the Senate had not considered a rule change or elimination of the filibuster for the 117th Congress.

—Heather Kerrigan

Following is the text of a floor speech delivered by Senate minority leader Mitch McConnell, R-Ky., on January 26, 2021, on the need to maintain the filibuster; and the text of a floor speech delivered by Senate majority leader Chuck Schumer, D-N.Y., on February 3, 2021, announcing that a deal on a power-sharing agreement had been reached; and the text of the power-sharing agreement, S. Res. 27, passed by unanimous consent on February 3, 2021.



Sen. McConnell Speaks in Support of Filibuster

January 26, 2021

Mr. President, yesterday, two Democratic Senators confirmed they will not provide the votes to eliminate the legislative filibuster. The senior Senator from West Virginia issued a public “guarantee”: “I do not support doing away with the filibuster under any condition.”

Any chance of changing his mind? “None whatsoever.”

The senior Senator from Arizona made the same commitment. She opposes ending the legislative filibuster and “is not open”—not open—“to changing her mind.” Our colleague informed me directly last night that under no circumstances would she reverse course.

Now, it should not be news that a few Members of the majority pledge they won't tear up a central rule, but the Democratic leader was reluctant to repeat the step I took as majority leader in unified government when I ruled out that step on principle.

Rather than relying on the Democratic leader, I took the discussion directly to his Members. Basic arithmetic now ensures that there are not enough votes to break the rule. This victory will let us move forward with the 50–50 power-sharing agreement containing all the elements of the 2001 model because it will sit on the very same foundation.

I want to discuss the precipice from which the Senate has stepped back. In 2013, Senator Harry Reid began the “nuclear” exchange over nominations. I said Democrats would regret it. A few years later, we have many Federal judges, including three Supreme Court Justices, who were confirmed with fewer than 60 votes.

The back-and-forth exchange over nominations had one institutional silver lining, because, routinely, filibustering nominations was itself a modern invention pioneered by Senate Democrats in the 2000s. So, on nominations, for all the fighting, the Senate just simply circled back to the simple majority threshold that had been our longstanding norm on nominations; that is, on the Executive Calendar.

Legislation is very different. When it comes to lawmaking, the Framers' vision and our history are abundantly clear. The Senate exists to require deliberation and cooperation. James Madison said the Senate's job was to provide a “complicated check”—a “complicated check,” he said—against “improper acts of legislation.” We ensure that laws earn enough buy-in to receive the lasting consent of the governed. We stop bad ideas, improve good ideas, and keep laws from swinging wildly with every election.

Our friend, Lamar Alexander, put it this way in his farewell speech. He said: “The Senate exists to produce broad agreements on controversial issues that become laws most of us have voted for and that a diverse country will accept.”

More than any other feature, it is the Senate's 60-vote threshold to end debate on legislation that achieves this. It ensures narrow interests cannot ignore the rest of the country. It embodies Jefferson's maxim that “great innovations should not be forced on slender majorities.”

The bar for lawmaking is high. It should be high, even if both bodies take turns at being slightly frustrated by it. If your legislation can't pass the Senate, you don't scrap the rules or lower the standards. You improve your idea, take your case to the people, or both.

Four years ago, Republicans had just won unified control. President Trump and others pressured us heavily—me, in particular—to scrap this rule when it was protecting the Democratic minority. But we stood firm. I stood firm and endured many tweets on the subject. I said we would not do that to our colleagues in the minority.

No short-term policy win justifies destroying the Senate as we know it, especially since laws would become so brittle and reversible. So Democratic Senators used the 60-vote threshold to shape and block legislation. They stalled COVID relief, they blocked police reform, and they stopped even modest measures to protect innocent life because I chose not to destroy the tool that allowed them to do that.

That same tool that some Democrats now want to destroy, they used freely and liberally throughout their years in the minority, and I protected their ability to do that. Republicans understand you don't destroy the Senate for a fleeting advantage. Our friends across the aisle must see the same.

I have talked a lot about principle. We should also make this a little more tangible. So let's take a look at what would happen if in fact the legislative filibuster were gone. If the Democratic majority were to attack the filibuster, they would guarantee themselves immediate chaos, especially in this 50–50 Senate. This body operates every day and every hour by consent, and destroying the filibuster would drain comity and consent from this body to a degree that would be unparalleled in living memory.

So let's look at some examples.

The Constitution requires the Senate to have a quorum to do any business. Right now, a quorum is 51, and the Vice President does not count to establish a quorum. The majority cannot even produce a quorum on their own, and one could be demanded by any Senator at almost any time.

Our committees need quorums to function as well. They will also be evenly split. If this majority went scorched-earth, this body would grind to a halt like we have never seen. Technically, it takes collegiality and consent for the majority to keep acting as the majority at any time they do not physically—physically—have the majority.

In a scorched-earth, post-nuclear Senate that is 50–50 like we have today, every Senate Democrat and the Vice President could essentially just block out the next 2 years on their calendar. They would have to be here all the time.

It takes unanimous consent to schedule most votes, to schedule speeches, to convene before noon, to schedule many hearings and markups. As Democrats just spent 4 years reminding us, it takes consent to confirm even the lowest level nominees at anything beyond a snail's pace.

None of us has ever seen a Senate where every single thing either happens in the hardest possible way or not at all. Heck, once or twice every day the majority leader reads through an entire paragraph of routine requests. Objections could turn each one into multiple, lengthy rollcall votes.

None of us on either side wants to live in a scorched-earth Senate. The institution and the American people deserve a lot better. But there is no doubt—none—that is what we would see if Democrats tear up this pivotal rule. It would become immediately and painfully clear to the Democratic majority that they had indeed just broken the Senate.

This gambit would not speed the Democrats' ambitions. It would delay them terribly, and it would hamstring the Biden Presidency over a power grab which the President has spent decades warning against and still opposes.

Finally, at some point, the shoe would find its way to the other foot. When Republicans next control the government, we would be able to repeal every bill that had just been rammed through, and we would set about defending the unborn, exploring domestic energy, unleashing free enterprise, defunding sanctuary cities, securing the border, protecting workers' paychecks from union bosses—you get the picture.

But a few years later, the Democrats would try to flip it all back. So instead of building stable consensus, we would be chaotically swapping party platforms, swinging wildly between opposite visions that would guarantee half the country is miserable and resentful at any given time. We would have inherited resilient institutions but left behind a chaotic mess.

We are in a politically charged period, but when factional fever runs hot, when slender majorities are most tempted to ram through radicalism, these are the times for which the guardrails exist in the first place.

Republicans said no—emphatically no—to pushing the Senate over this precipice. When I could have tried to grab the power, I turned it down. I said: “President Trump, no,” repeatedly, because the Nation needs us to respect the Framers' design and the Senate's structure, and because, as I said in a different context on January 6, we have a higher calling than endless partisan escalation.

We have placed our trust in the institution itself, in a common desire to do the right thing. I am grateful that has been reciprocated by at least a pair of our colleagues across the aisle. I am glad that we have stepped back from this cliff. Taking that plunge would not be some progressive dream; it would be a nightmare. I guarantee it.

SOURCE: Senator Mitch McConnell. “Filibuster.” January 26, 2021. *Congressional Record—Senate*, S134–135. <https://www.govinfo.gov/content/pkg/CREC-2021-01-26/pdf/CREC-2021-01-26-senate.pdf>.



Sen. Schumer Announces Power-Sharing Agreement

February 3, 2021

Madam President, I am happy to report this morning that the leadership of both parties have finalized the organizing resolution for the Senate. We will pass the resolution through the Senate today, which means that committees can promptly set up and get to work—with Democrats holding the gavels.

For the information of the Senate, the Democratic caucus has announced its committee memberships for the next 2 years. I am confident our Members are ready to hit the ground running on the most important issues that face our country.

Senate Democrats are not going to waste any time taking on the biggest challenges facing our country and our planet. I have already instructed the incoming Democratic chairs of all relevant committees to begin holding hearings on the climate crisis in preparation for enacting President Biden's Build Back Better agenda, which includes major climate legislation.

It is long past time for the Senate to take a leading role to combat the existential threat of our time—climate. As we all know, climate change touches virtually every aspect of our economy and involves virtually every aspect of public policy. So as the Biden Administration prepares a whole-of-government approach to combating climate change, the Democratic majority will pursue a whole-of-Senate approach as well.

Some of this work has already started. Two years ago, Senate Democrats established the first-ever Senate Special Committee on the Climate Crisis. I have promised that any action we take on infrastructure, in particular, will prioritize green infrastructure and the creation of green jobs, and create many jobs—good-paying jobs—we will.

Personally, I have introduced legislation to speed our country's transition toward clean cars that has the support of the environmental community, the labor unions, and some of the car manufacturers.

Make no mistake, in several different ways, this Democratic majority will compel the Senate to forcefully, relentlessly, and urgently address climate change, beginning with work in all of the relevant committees.

So as we set up new committee structures, I look forward to working with the new Democratic chairs on ways their committees will address the climate crisis. I look forward to speaking with my colleagues on the other side of the aisle about finding some common ground on this issue. And, most importantly, I look forward to propelling this Chamber into action on a crisis that concerns not only all of our futures but the futures of our children and our grandchildren. It is our solemn obligation to leave behind a planet upon which future generations can grow and prosper.

[The remainder of Senator Schumer's remarks, which were unrelated to the power-sharing agreement, have been omitted.]

SOURCE: Senator Chuck Schumer. "Organizing Resolution." February 3, 2021. *Congressional Record—Senate*, S274–275. <https://www.govinfo.gov/content/pkg/CREC-2021-02-03/pdf/CREC-2021-02-03-senate.pdf>.



Senate Passes Power-Sharing Agreement

February 3, 2021

117th CONGRESS
1st Session

S. RES. 27

Relative to Senate procedure in the 117th Congress.

IN THE SENATE OF THE UNITED STATES

February 3, 2021

Mr. Schumer submitted the following resolution; which was considered and agreed to

RESOLUTION

Relative to Senate procedure in the 117th Congress.

Resolved,

Section 1. Notwithstanding the provisions of rule XXV of the Standing Rules of the Senate, or any other provision of the Standing Rules or Standing Orders of the Senate—

(1) the committees of the Senate, including joint committees and special committees, for the 117th Congress shall be composed equally of members of both parties, to be appointed at a later time by the two Leaders;

(2) the budgets and office space for such committees, and all other subgroups, shall likewise be equal, with up to an additional 10 percent to be allocated for administrative expenses to be determined by the Committee on Rules and Administration, with the total administrative expenses allocation for all committees not to exceed historic levels; and

(3) the Chairman of a full committee may discharge a subcommittee of any Legislative or Executive Calendar item which has not been reported because of a tie vote and place it on the full committee's agenda.

Sec. 2. The committee ratios under section 1 shall remain in effect for the remainder of the 117th Congress, except that if at any time during the 117th Congress either party attains a majority of the whole number of Senators, then each committee ratio shall be adjusted to reflect the ratio of the parties in the Senate, and the provisions of this resolution shall have no further effect, except that the members who were first appointed by the two Leaders to such committees in the 117th Congress, pursuant to the authority in this resolution, shall

no longer be members of the committees, and the committee chairmanships shall be held by the party which has attained a majority of the whole number of Senators.

SEC. 3. Pursuant to the provisions and exceptions described in sections 1 and 2, the following additional Standing Orders of the Senate shall be in effect for the 117th Congress:

(1) If a committee has not reported out a measure or matter because of a tie vote, then—

(A) the Chairman of the committee shall transmit a notice of a tie vote to the Secretary of the Senate and such notice shall be printed in the Record; and

(B) after such notice of a tie vote has been transmitted, the Majority Leader or the Minority Leader may, only after consultation with the Chairman and Ranking Member of the committee, make a motion to discharge such measure or matter, and time for debate on such motion shall be limited to 4 hours, to be equally divided between the two Leaders or their designees, with no other motions, points of order, or amendments in order: *Provided*, That following the use or yielding back of time, the Senate vote on the motion to discharge, without any intervening action, motion, or debate, and if agreed to, the measure or matter be placed immediately on the appropriate Calendar.

(2) Notwithstanding the provisions of rule XXII of the Standing Rules of the Senate, to ensure that any cloture motion shall be offered for the purpose of bringing to a close debate, in no case shall it be in order for any cloture motion to be presented on an amendable item during its first 12 hours of Senate debate: *Provided*, That all other provisions of rule XXII remain in status quo.

SEC. 4. It is the sense of the Senate that both Leaders shall seek to attain an equal balance of the interests of the two parties when scheduling and debating legislative and executive business generally, and in keeping with the present Senate precedents, a motion to proceed to any Legislative or Executive Calendar item shall continue to be considered the prerogative of the Majority Leader, although the Standing Rules of the Senate do not prohibit the right of the Republican Leader, or any other Senator, to move to proceed to any item.

SOURCE: Library of Congress. "S. Res. 27—A Resolution Relative to Senate Procedures in the 117th Congress." Agreed to without amendment by unanimous consent on February 3, 2021. <https://www.congress.gov/117/bills/sres27/BILLS-117sres27ats.pdf>.

OTHER HISTORIC DOCUMENTS OF INTEREST

FROM THIS VOLUME

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- The American Rescue Plan Act Is Passed, p. 171

FROM PREVIOUS *HISTORIC DOCUMENTS*

- Federal Leaders on Changes to the Filibuster Rule, 2013, p. 567