

Democrats' Covid conundrum: Work with GOP or run them over

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Senate Majority Leader Chuck Schumer walks to the chamber after meeting with new senators from his caucus, at the Capitol in Washington, Thursday, Jan. 21, 2021. | AP Photo/J. Scott Applewhite

Democrats are facing their first major decision with total control of Washington: whether to wait and see if negotiations with Republicans pan out or move forward unilaterally with a massive coronavirus package.

Progressives are itching to wield control of the House and Senate and are skeptical that talks between a bipartisan group of senators and President Joe Biden will bear fruit. But moderates say the party needs to be more patient and give the centrists some space to work. And there's not a lot of time: Critical unemployment benefits now expire on March 14.

"I'll guarantee you I can sit down with my Republican friends and find a pathway forward," said Sen. [Joe Manchin](#) (D-W.Va.), who said it was "horrible" how Republicans evaded the filibuster to try and pass their agenda on tax cuts and health care when they held the majority.

"Let me try first."

"People can talk to whoever they want to talk to, but this country faces enormous crises," retorted Sen. [Bernie Sanders](#) (I-Vt.), who is chair of the Budget Committee. "Elections have consequences. We're in the majority, and we've got to act."

Across the Capitol, House Democrats are eyeing dueling approaches on how to tackle the next coronavirus relief package — Biden's first significant legislative priority, and one which will be a harbinger for others. The bill was already going to be a heavy lift, coming just weeks after Congress passed a nearly [\\$1 trillion aid package](#). Now it's also become the first visible fissure between the Democrats' more moderate and left-leaning wings of its party, which is under intense pressure to deliver.

Some centrist Democrats, like Manchin, insist that Biden's package must be bipartisan — like every other coronavirus aid bill to date — and say the administration needs to come down from its initial \$1.9 trillion proposal. But many others are unwilling to wait, with badly needed money for vaccine distribution on the line, as well as a slew of other priorities left out of the last deal. In particular, Republicans are resisting Biden's proposal to raise the minimum wage to \$15 and conservatives loath spending on state and local governments.

"If they thought it was impossible, I don't think they'd be wasting their time. Their first mission is to find a bipartisan way forward," said Rep. [Josh Gottheimer](#) (D-N.J.) of the Biden team, which he is working with on a bipartisan approach.

Gottheimer co-leads a group of moderates from both parties that met with the Biden policy team on Tuesday afternoon, where lawmakers made clear that reconciliation was not their preferred approach to a relief deal, according to multiple sources on the call. Instead, they said members wanted to see a bill move through regular order.

But another group of Democrats — doubtful of the bipartisan talks and anxious to deliver more relief — say the only path forward is to muscle through Biden's package on their own, using the wonky budget tool known as reconciliation to jam the bill through Congress without GOP votes.

Senate Democratic leaders, meanwhile, are staking out a middle ground: Give Republicans some time, but run over them if they delay too long. Senate Majority Leader [Chuck Schumer](#) said on Tuesday that he prefers to have the GOP on-board, but will move without them if they must. And Schumer told Senate Democrats on Tuesday that they could vote on a budget as soon as next week.

"Some of the comments have been admittedly disheartening," Schumer told reporters. "But we're always hopeful some of them will see the light. And remember, even on reconciliation Republicans can join us."

"I hope it doesn't lead to that," added Senate Majority Whip [Dick Durbin](#) (D-Ill.). But he indicated that his party is exploring how far it can go with reconciliation, like including an increase in the minimum wage. "In the past the Republicans have changed some of the rules relative to reconciliation to accommodate their legislative efforts."

But going toward a party-line vote "would send exactly the wrong message," said Sen. [Todd Young](#) (R-Ind.), who is in the bipartisan group of 16 senators that spoke with top Biden officials on Sunday. "We need to be unified and come to some measure of consensus."

"Reconciliation is not the right way to handle this package," added Rep. [Dusty Johnson](#) (R-S.D.), who spoke with the Biden team on the bipartisan House call on Tuesday. "There was broad agreement that reconciliation is not the preferred approach."

Moreover, Democrats only control just 50 Senate seats and 221 House seats. That means passing a bill on a party line will require nearly lockstep unity, which isn't easy: Just ask the Republicans who failed to repeal Obamacare with reconciliation in 2017.

And for now Democrats have ruled out gutting the filibuster, narrowing their options to reconciliation or recruiting 10 Senate Republicans on coronavirus relief. Several centrist GOP senators pushed back against the Biden administration's plan over the weekend.

Even if they decide to toss out the idea of a bipartisan bill, Democrats haven't agreed on how big a partisan effort should go. Sanders and others have argued that Democrats can force through enormous policy changes such as a \$15 minimum wage — a longtime progressive priority — through the budget procedure, even if it would require a virtually unprecedented eroding of the Senate's rules and potentially empower the GOP to take similar steps down the line.

Every provision in a reconciliation package must pass the so-called Byrd Rule, meaning it must have a significant effect on federal revenues, spending or the debt. Ultimately, the Senate parliamentarian must decide what qualifies — although some Democrats are pushing to overrule the parliamentarian if the minimum wage hike is rejected.

House Budget Chair [John Yarmuth](#) (D-Ky.) — who's skeptical about the minimum wage clearing the Byrd Rule — said it would be the "ultimate power move" if Democrats try to force it through.

"I'm not sure it's the smartest thing to do," Yarmuth said. "You do have to worry about precedent."

There's also some discussion of crafting a "pay-for" for a minimum wage increase, such as levying a tax on businesses that refuse to participate, Yarmuth acknowledged.

Sanders argued that the Senate can "absolutely" pass a minimum wage increase with reconciliation: "We will make the case ... that when you raise the minimum wage that people will become less reliant on public assistance and it will save the federal government substantial sums of money. That's the key argument."

For now, Democrats say they are moving on parallel tracks. The House could vote as soon as next week to tee up the first step toward a Democrat-only bill, by approving a budget resolution that includes instructions to unlock reconciliation, as bipartisan talks continue in both chambers. Lawmakers will introduce that budget bill on Monday.

Democrats say they have no choice but to move ahead with reconciliation now, since it would likely take several weeks if Democrats decide to deploy the privileged procedure.

"If we're going to use reconciliation, we have to go forward with it pretty soon, but that doesn't prevent a negotiated package as well," Yarmuth said. "At worst, it's Plan A and at best it's Plan B."

Durbin said that Senate Democrats have made no final decision on when to push forward with a budget resolution. That opens up a vote-a-rama and unlimited amendments votes, and Biden still needs to have his Cabinet confirmed before the impeachment trial, which is set to begin the week of Feb. 8.

In initial conversations with the Biden administration, both Republicans and Democrats in that group were left with few answers about precisely what cash was still remaining from the \$900 billion December bill and what was needed. A price tag for a potential compromise package still hasn't been discussed. And given that the last coronavirus bill took about seven months to clinch, Democrats warn that this go-round can't be subject to the same delay — though many feel compelled to try for a deal.

"What are we, six days in?" said Rep. [Chrissy Houlahan](#) (D-Pa.), who is among the Democrats calling for a bipartisan path under Biden. "It's really hard for us to abandon that important conversation of coming together without giving it at least a chance."

And it's clear that there's plenty of pent-up desire in the party to enact their priorities after 10 years without total control of Washington.

"I do not believe it's the time for half-measures," said Sen. [Kirsten Gillibrand](#) (D-N.Y.). "I would absolutely support doing it through reconciliation. Sooner the better, my state is suffering and we need city and state money."

Melanie Zanona contributed to this report.

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