

On January 6, 2021 a deadly mob, at the urging of President Donald Trump, and immediately following remarks from the President at a rally, stormed the United States Capitol Building while lawmakers were convening to certify the Electoral College results. Trump stands irrevocably damaged, in four years he has lost Republicans the White House and majorities in both houses of Congress—his legacy will be one of defeat and division and calls are mounting for his removal from office. Joseph R. Biden, Jr. will be sworn in as the 46<sup>th</sup> President of the United States on Wednesday, January 20—it will be an inauguration unlike any other in U.S. history. He will enter office with Democratic majorities in both chambers. The 117<sup>th</sup> Congress is the most diverse in history, and the balance of power is very tight. A year into the pandemic, cases continue to climb, but help is on the way with the approval of several vaccines—though distribution proves challenging.

### *January 6, 2021 – Attack on the Capitol*

The United States Capitol has been attacked before, but never by Americans, and never at the instigation of the President. The morning of January 6, Trump supporters gathered on the Ellipse near the White House—Trump’s children, Donald Jr. and Ivanka addressed the crowd, as did Trump lawyer Rudy Giuliani, [before the President urged the crowd](#) to “never give up” and “never concede,” telling his supporters to “fight like hell” to “take back our country.” Trump ended his speech by urging his followers to march down Pennsylvania Avenue, saying “We’re going to the Capitol... We’re going to try and give them [Republicans] the kind of pride and boldness that they need to take back our country.” By 1:00 p.m., an initial wave of the mob stormed the outer barricade west of the Capitol building as the Vice President and members of the House and Senate gathered in a joint session to confirm President-Elect Biden’s Electoral College victory. The Capitol was breached by 2:15 p.m. and both houses of Congress adjourned to evacuate. While the violent mob penetrated further into the Capitol, Trump tweeted that “Mike Pence didn’t have the courage to do what should have been done,” remarks that some have said was directing the rioters to target the Vice President. The day’s violence left five dead, including a Capitol Police officer (another Capitol Police officer died days later). Once the Capitol was secured, lawmakers returned to finish certifying Biden’s victory. In short, what occurred on January 6 was the President inciting a violent crowd to march on Congress, the express goal of which was to demand that Congress and the Vice President reject electors from enough states to deny President-Elect Biden’s Electoral College victory and overturn the will of the American people.

There are now calls for Trump to be removed from office, either by invoking the 25<sup>th</sup> Amendment or through impeachment. House Speaker Nancy Pelosi also took the extraordinary step of [contacting General Mark Milley](#), Chairman of the Joint Chiefs of Staff, the nation’s most senior military leader, to discuss “available precautions for preventing an unstable president from initiating military hostilities or accessing the launch codes and ordering a nuclear strike.” There is a strong feeling that the President presents a clear and present danger. The Justice Department said that it would not rule out [pursuing charges against Trump](#) for his role in the deadly clash.

Adding to the horror of the day was the lack of preparedness—the head of the U.S. Capitol Police and two other senior security officials on Capitol Hill have [resigned](#). There has also been a [wave of resignations](#) in the White House and two members of the President’s cabinet, Transportation

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Secretary Elaine Chao and Education Secretary Betsy DeVos, resigned in protest. Citing the risk of future violence, numerous [social media companies, such as Twitter and Facebook, have responded by removing Trump's accounts](#) or accounts affiliated with pro-Trump violence and conspiracies, like QAnon and #StoptheSteal.

It must also be noted that the rioters were predominantly white, and the police response differed greatly from the largely-peaceful “Black Lives Matter” demonstrations from this past summer—where protestors were met with chemical irritants and lines of police in full riot gear. In addressing the assault on the Capitol, Biden [said](#) “no one can tell me that if it had been a group of Black Lives Matter protesting yesterday, they would have been treated very, very differently than the mob of thugs that storm the Capitol.” America is still going through a racial justice reckoning and this episode does beg the question of whether this would have happened if the rioters were there to fight for Black lives rather than white supremacy.

### *January 20, 2021 - A Unique Inauguration*

At noon on Wednesday, January 20 Joseph R. Biden, Jr. will be sworn in as the 46<sup>th</sup> President of the United States of America. Breaking with tradition, Trump announced he will not attend, the first President in over 150 years to skip the swearing in of his successor—Vice President Pence will attend, as will former Presidents Barack Obama, George W. Bush and Bill Clinton. The inauguration ceremonies will be scaled back due to the COVID-19 pandemic and Biden has urged members of the public to stay home. The central theme of the inauguration is [“America United,”](#) a premise that has taken on added significance in the wake of the violence at the U.S. Capitol. Biden will [take the oath of office on the West Front](#) where rioters breached the Capitol building. In lieu of a crowd on the National Mall witnessing the swearing in, a large public art display will be installed, spanning multiple blocks down the Mall, to celebrate the American people who are unable to travel to the Capitol for the inauguration. After he is officially inaugurated, Biden and Vice President-Elect Harris will lay a wreath at the Tomb of the Unknown Soldier in Arlington National Cemetery. They will be joined by Obama, Bush, Clinton and their spouses. Traditional activities like the parade and inaugural balls will move to virtual format due to the pandemic. Nevertheless, officials are preparing a significant security presence in preparation for what may be more pro-Trump demonstrations—[Washington, DC Mayor Muriel Bowser](#) has asked the Trump administration to cancel any public gathering permits through January 24 and as many as 15,000 National Guard troops will be deployed.

### *The Face of the 117<sup>th</sup> Congress*

Democrats will host a slim majority of 222 to 211 (with two vacancies currently) in the House of Representatives at the start of the 117<sup>th</sup> Congress. Following the January 5<sup>th</sup> run-off election in Georgia, which resulted in Democrats Raphael Warnock and Jon Ossoff defeating incumbent Republican Senators, the United States Senate will be split 50-50 but Democrats will hold the majority because Vice President-Elect Kamala Harris can cast a tie-breaking vote, as the Vice President also serves as President of the Senate. Of the fifty-nine members of the freshman class in the House, fifteen are Democrats and 44 are Republicans—in the Senate, there are four new Democrats and four

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new Republicans. The 117<sup>th</sup> Congress is the [most diverse in history](#) with more than 120 women and 125 people of color.

### *The Agenda for the 117<sup>th</sup> Congress*

The 117<sup>th</sup> Congress officially opened on January 3<sup>rd</sup> with a slim Democratic majority in the House and control of the Senate in question—following the January 5<sup>th</sup> election in Georgia, the government will now be unified, with the White House and the Congress under one-party control. The Democrats will chair all committees and control what legislation reaches the floor in both chambers.

The [rules adopted by the House](#) includes provisions to extend remote voting during the pandemic, protect whistleblowers, as well as changes to the motion to recommit, a procedural tool used by the minority party to alter bills at the eleventh hour on the floor. The new rules also allow the House Budget Committee chair to eliminate the pay-as-you-go budgetary rules—which require offsets for deficit-increasing legislation—on bills involving health or economic relief related to the pandemic or combating global warming.

The Senate will move forward on its own rules package and organizing resolution when they reconvene the week of the inauguration. While in the majority, Democrats will have a fragile position in the Senate, needing 60 votes to overcome a filibuster (though only 50 for confirmations or items attached to the budget reconciliation process). In the near term, the Senate will be focused on confirming President-Elect Biden's nominees and while Democrats control the Senate, the process is quite time consuming.

Before getting to policy matters, the House will consider articles of impeachment against Trump for his actions on January 6<sup>th</sup>. These articles will certainly pass the House and it is uncertain *when* they will be transmitted to the Senate; therefore, the timing of a trial in the upper chamber is in question but will likely occur after Trump has left office. President-Elect Biden [stated](#) that he hopes the Senate can simultaneously hold a trial while also confirming nominees and working on additional coronavirus relief. While any ruling by the Senate would come after Trump left office, if he were convicted the Senate could then vote on whether to bar him from holding federal office in the future by a simple majority vote.

Policy matters likely to be addressed in the opening months of the new Congress include additional pandemic relief measures; regulation of big tech companies; infrastructure; legislation addressing climate change and clean energy measures; enhancements to the Affordable Care Act; and reauthorization of the Higher Education Act. With control of both chambers, Democrats may also try to eliminate any regulations Trump tries to finalize in the closing days of his administration by using the [Congressional Review Act](#), a law that allows Congress and the president to quickly kill regulations finalized within the last 60 congressional days.

*An Accelerating Pandemic*

As of this writing, the [7-day moving average](#) for COVID-19 infections is over 240,000 new cases daily—the trends show the rate of infection accelerating and it will take several weeks to determine if the Christmas holiday will lead to another surge. Over 22 million Americans have contracted the virus and nearly 375,000 have died, with a death rate of more than 1.1 per 1,000 people. This latest surge is also placing incredible strain on health systems, with a number of major metropolitan areas at, or over, capacity in their intensive care units. While emergency authorization has been granted for the Moderna and Pfizer-BioNTech vaccines, the rollout as not gone smoothly and former Food and Drug Administration Commissioner [Scott Gottlieb has warned](#) that the current plan is not working. The incoming Biden administration [announced a shift in vaccination strategy](#), aiming to release all available doses as soon as possible. Currently, half the doses of the two-shot vaccines are being reserved so that everyone who gets a first shot is guaranteed a second shot in three to four weeks.

*Personnel Updates*

*Department of Commerce* – **Gina M. Raimondo** is the nominee for secretary.

*Department of Defense* – Nominee for secretary is **General Lloyd J. Austin, III**. Deputy nominee is **Kathleen Hicks**. **Colin Kahl** is the nominee for undersecretary for policy and **Kelly Magsamen** will be appointed chief of staff.

*Department of Energy* – **Jennifer Granholm** is the nominee for secretary.

*Department of Health & Human Services* – Nominee for secretary is **Xavier Becerra**.

*Department of Justice* – Nominee for Attorney General is **Merrick Garland**, **Lisa Monaco** is the nominee for deputy.

*Department of Labor* – **Marty Walsh** is the nominee for secretary.

*Department of State* – **Wendy Sherman** will be nominated as deputy secretary and **Victoria Nuland** nominated for undersecretary for political affairs.

*U.S. Trade Representative* – The nominee is **Katherine Tai**.

*Department of Transportation* – Nominee for secretary is **Pete Buttigieg**

*National Security Council* – **Jon Finer** will be deputy national security advisor for the incoming administration. Other senior NSC staff include: **Sasha Baker** as senior director for strategic planning; **Tanya Bradsher**, senior director for partnership and global engagement; **Elizabeth Cameron**, senior director for global health security; **Tarun Chhabra**, senior director for technology; **Brett McGurk**, senior director for Middle East policy; **Melanie Nakagawa**, senior director for climate and energy; and **Amanda Sloat**, senior director for European affairs.

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*White House* – **Jen O'Malley Dillon** will be deputy chief of staff. On the National Economic Council, **David Kamin** will be deputy director and **Bharat Ramamurti** will be deputy director for financial reform and consumer protection. **Susan Rice** will serve as chair of the Domestic Policy Council. **Jeff Zients** will be the coordinator of the COVID-19 response. **Steven Ricchetti** will be counsellor to the President.

*Office of the Vice President* – Chief of staff is **Tina Flourney**. **Nancy McElDowney** will be the national security advisor and **Ashley Etienne**, communications director.