



**To:** Interested Parties

**From:** Battle Born Collective, Justice Democrats, Data for Progress, United We Dream, and New Deal Strategies

**Re:** A Plan to Win The First 100 Days

**Date:** Tuesday, February 16, 2021

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On February 17, 2009, President Obama signed the American Recovery and Reinvestment Act—colloquially known as ARRA—into law. As we mark the twelfth anniversary of ARRA, Democrats are again in the position of rescuing the country from the havoc wrought by a Republican president. The good news is that [Democratic leaders seem](#) to have learned [many of the lessons of 2009](#). Already, the Biden-Harris administration has begun taking meaningful executive steps to address a host of issues—from immigration to climate change to national security. We applaud those and look forward to continued action.

The bad news is that Democrats risk lagging behind their 2009 pace, delaying much needed relief for a world that continues to burn, families wrought by the pandemic, and Americans facing the everyday violence of poverty.

Between the previous administration's incompetent COVID response and the obstruction perpetrated by Mitch McConnell at the beginning of the 117<sup>th</sup> Congress, unified Democratic control of our government is facing extreme headwinds to deliver material change to people across the country.

While we have been encouraged to see congressional Democrats stand with the [overwhelming majority](#) of Americans and move swiftly to enact the president's 'American Rescue Plan', [important provisions](#) of the plan are in jeopardy due to the budget reconciliation process. Furthermore, as [democracy reform advocates are noting](#), there is a limited window to pass the reforms needed to level the electoral playing field. The fate of every other issue rides on the fate of democracy reform. Since it cannot pass through reconciliation, and since Republicans will never provide 10 votes for it in the Senate, democracy reform will die by the filibuster unless there is a plan to pass it—and soon.

President Biden has also called for a [particularly aggressive slew of actions](#)—both legislative and administrative—in his first 100 days in office. The Senate, specifically, [only has 32 legislative session](#) days between now and that 100 day mark. Administration and congressional leaders do not have time to waste. They need to be ambitious. There is no alternative.

The urgency of this moment and the intractability of Republican opposition require a strategy that meets these challenges head-on, in order to guarantee the progress the Biden administration promised and the American people gave Democrats a mandate to deliver. Too often, the conversation becomes one of sequencing. We fear this obscures the moment in which we find ourselves.

**To make sure President Biden's first 100 days are a resounding success, we call on leaders in Congress to:**

**Unify the country against Republicans. Legislate aggressively.**

Bring popular, progressive bills to the floor to support the working people struggling to get by. When Republicans stand in your way, show America that they are the obstructionists blocking policies that broad, bipartisan majorities of Americans support. After the conclusion of the impeachment trial, hit the ground running. There should be no empty floor time. Mitch McConnell's [legislative graveyard](#) features a host of common sense solutions to the real problems facing working people today, and Leader Schumer has [previously pointed to it](#) as a starting point. Bring them to the floor soon. Make usage of the [Senate's rules for expedited consideration](#) of these bills, including proposals that have previously enjoyed bipartisan support in Congress—like background checks for firearms. Allowing arbitrary procedural hurdles like the filibuster to stand in the way risks Senate Democrats creating a legislative graveyard of their own.

**Center democracy reform.**

The existential threat to our democracy did not end with the conclusion of the Trump presidency. Already, Republican-controlled state legislatures are [fast tracking efforts](#) to limit access to the ballot ahead of the 2022 elections. Across the country, Republicans have signaled their open hostility toward democracy and shown they are willing to suppress, purge, and restrict their way to “victory.” The only effective way to counter these efforts is with aggressive action at the federal level to maintain and protect small-d democratic governance. That means swift and immediate passage of measures meant to fortify our democracy like the John Lewis Voting Rights Advancement Act and the For the People Act. These things take time to implement. They will undoubtedly face pushback from bad faith, conservative Attorneys General across the country. The development of new legislative maps is already delayed due to the previous administration's Census malfeasance. Time is of the essence, and Democratic leaders must remember: there is nothing radical about making a democracy more democratic.

**Reform the rules to pass big, bold, and popular solutions.**

When Democrats run into Republican obstruction, they should reform Senate rules to get around it. [Polling](#) shows that the [public cares about results, not process](#). As President Biden has pointed out, his policies are bipartisan because Americans from across the political spectrum support them—NOT because of what Republican senators choose to do. Fast-tracking COVID relief through reconciliation underscores this point. He has also indicated that his posture on filibuster reform—and thereby the success or failure of his legislative agenda—will greatly depend upon how “[obstreperous](#)” Republicans in Congress become. Even President Obama has

said he wished he'd advocated for abolishing the filibuster in 2009<sup>1</sup>. The less time spent giving Republicans opportunity to obstruct, the more Democrats can meaningfully deliver for working people, and the better off our country will be. Abolish the filibuster once and for all, and return the Senate to its constitutional function.

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By this point twelve years ago, one of President Obama's signature legislative achievements had already been signed into law.

For over a decade, Democrats have been running on a platform of action on voting rights, civil rights, ending gun violence, climate, jobs, immigrant justice, criminal legal system reform, and more. Now, they have the chance to take action on all of these urgent issues. We want President Biden and Democratic Party leadership to follow through on their promises. The American people have already waited far too long.

We also know that Mitch McConnell will do whatever he can to thwart *any* success that would allow Democrats to motivate their voters back to the polls next year. His pursuit is power, not progress. Democratic Party leaders must be clear-eyed about this.

April 21, 2021 will mark 100 days into the new administration and over 75 days of unified Democratic control of Washington.

What will President Biden, Leader Schumer, and Speaker Pelosi have to show for it?

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<sup>1</sup> Obama, B. (2020). In the Barrel. In *A Promised Land* (p. 594). New York, NY: Crown.