

THE BROOKINGS INSTITUTION

WEBINAR

BIDEN'S FIRST YEAR: SUCCESSES, FAILURES, AND WHAT LIES AHEAD

Washington, D.C.

Wednesday, January 19, 2022

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## P R O C E E D I N G S

MS. KAMARCK: Good morning, everyone and welcome to Brookings. This panel this morning is on Biden's first year in office. His successes, his failures, et cetera. One year ago, he took office with approval ratings over the 50 percent mark. By summer, they had begun to fall and then as he headed into this fall, his approval ratings dropped into the high 40s where they've stayed ever since. In some polls, he's even down to the 30s. The Democratic prospects for the 2022 midterms have followed this downward trend.

Early on in the administration, there was a lot of good news. The COVID relief packages passed Congress. He used governmental powers wisely to ramp up vaccinations and vaccination production across the country. He passed a historic infrastructure bill. Unemployment is currently very low. Wages are up.

But in recent months, there's been plenty of bad news as well. Inflation is at its 40-year high. The unremitting scourge of COVID, continued conflict with the progressive base over his Build Back Better bill, his failure to get two critical U.S. senators to pass a voting rights bill. And on foreign policy, an embarrassing and chaotic withdrawal from Afghanistan and a face off over Ukraine with Russia. At the Supreme Court, he has also suffered setbacks on vaccine mandates and abortion.

In the course of a year, the Biden presidency seems to have gone from hope to disappointment. Here with us to disagree with that statement and to unpack his first year are a group of distinguished Brookings' scholars. And in alphabetical order, we're going to hear from all of them. But first, if you want to send in questions by email go to [events@brookings.edu](mailto:events@brookings.edu) or via Twitter at [@BrookingsGov](https://twitter.com/BrookingsGov) or via Twitter at using [Brookings.gov](https://www.brookings.gov) by using #Biden1Year, and the one is not written out, it's a numerical one.

But first let me introduce our panel. Sarah Binder, a senior fellow here at Brookings, a professor at Georgetown, an associate editor of the Washington Post, well regarded, Monkey Cage. She's an expert on Congress. Her latest book with coauthor Mark Spindell, "The Myth of Independence: How Congress Governs the Federal Reserve."

Next, is Bill Galston, a senior fellow here at Brookings and a columnist for the Wall Street Journal. He is the author of nine books and hundreds of articles on political theory and public policy. He served in the Clinton White House in the 1990s and his most recent book is “Antipluralism: The Populist Threat to a Liberal Democracy.”

John Hudak, also a senior fellow here at Brookings, is deputy director of the Center for Effective Public Management. He’s an expert on executive branch in American politics and editor of our FixGov blog. His most recent book is “Marijuana: A Short History.”

Rashawn Ray is a senior fellow here at Brookings and professor of sociology and an executive director of the Lab for Applied Social Science Research at the University of Maryland. He is one of the coeditors of Contexts Magazine: Sociology for the Public. Rashawn’s studies race and social inequality. His books include, among others, “How Families Matter: Complicated Intersections of Race, Gender and Work” with Pamela Jackson.

Last but not only alphabetically is our newest scholar, Gabriel Sanchez. Gabe is a new David Rubenstein fellow here at Brookings and a professor of political science and the founding Robert Wood Johnson Foundation in endowed chair in public health at the University of New Mexico. Gabe studies Latino health policy and political engagement. His most recent book is “Latinos and the 2016 Election: Latino Resistance and the Election of Donald Trump.”

So with this great panel ready to go, let me start off with the first question. So the public and the pundits are giving Biden pretty bad grades for his first year in office. This afternoon, he is going to hold a press conference billed as an attempt to reset his presidency.

Do you agree or disagree? How then has this first year been? And how much of what has happened in this first year falls outside of the control of the president? And how much falls into the category of self-inflicted wounds? So sticking with our alphabetical, you know, order, I’m going to start with Sarah. Sarah, what do you say to that?

MS. BINDER: Great. And thanks, Elaine, and everyone for including me.

So I think it’s really important when we want to assess Biden’s first year. I think it’s important to think about the constraints under which Democrats have pursued their campaign pledges and their policy agendas. I would tick it off to four things and I’ll run through them sort of

quickly.

Margins, McConnell, pandemic and an increasingly partisan Supreme Court. Today's majorities in Congress labor under a number of really tough historical tough conditions. The slimmest of majorities, we have very few evenly split Senates. Past ones don't last very long so there's no margin for error as we've seen watching the Senate. These are polarized times as we know.

By which we mean that there's not a lot of common ideological sweet spots between to anchor the parties. A lot of partisan team play. Your team is for it so my team is against it. An intensely competitive party, right? Control is just around the corner so why go to the bargaining table? Why not hold out until you are in control? That seems to permeate the legislative process except in the rarest of circumstances when we get something like bipartisan infrastructure.

Third, pandemic. I think we've probably underestimated the ways in which it is constraining what can be done in Congress as well as reshaping the agenda, right? It puts on the plate of Biden and the Congress issues they probably don't want to dealing with, right? Even today, they're thinking maybe they need another COVID relief fund. And keep in mind, the first COVID relief plan back in 2021 of the Biden administration took up to the core, what we call the Reconciliation Bill, right? And I can't name another year where there have been two large substantive reconciliation bills.

So the pandemic stole that Reconciliation Bill. And it's put out of reach, I think. We'll come back to Build Back Better, but it's certainly increased the pressure on -- made it harder to achieve another good bill.

Finally, just to keep in mind, the Court to the extent that the Biden administration targeted getting the virus under control. The Court has made that harder. And I think last week's emergency refusal to allow the Biden OSHA order to go forward. I think by most analysts' views, the decision was unhinged from the text of the statute, which makes me think that the Court is going down a very partisan -- not just conservative -- but quite partisan approach which has surely undermined much of what -- or a lot of what the Biden administration has -- all those eggs they put into that pandemic basket.

And obviously, as we'll come to I'm sure, things out of Biden's control to some extent inflation, right? Largely, a pandemic driven. The great resignation, labor shortages, goods shortages and of course a lot of government spending that I think people will -- economists will disagree about the degree to which its impacting inflation.

So constraints are big here and I'll leave to others thinking about the executive office and how well that's been managed and so forth.

MS. KAMARCK: Sarah, that's a great opening. And when you started, you started margins, McConnell. I was hoping that you could do four Ms, but I couldn't figure out how you would do that.

MS. BINDER: We're working on it but it was still a little early in the morning.

MS. KAMARCK: Bill Galston, what's your impression?

MR. GALSTON: I'm going to take the other side of the debate if that's the right word for it.

I think that most of President Biden's wounds have been self-inflicted. I could go down a long list but perhaps the best way to start is to say that all of the constraints that Sarah just listed were known in advance. I mean President Biden knew exactly what the legislative numbers and margins were the day he took office. And the job of a leader is to function effectively within constraints not to pretend that they don't exist.

The American Rescue Plan, the first bill passed was as many analysts said at the time about twice as large as it should have been given the economic problem that he was trying to remedy. And a number of economists including some closely associated with the Brookings Institution said that that bill would be inflationary. It's not the only cause of the inflation, but it poured fuel on a fire that was already smoldering.

The President knew very early on that Build Back Better and voting rights would have to be done on the basis of only Democrats. And so, negotiation within the Democratic party was absolutely critical. The President unwisely subcontracted those negotiations to the congressional leadership which proved unequal to the task and lost a lot of time figuring out what should have been obvious from the beginning.

I don't need to tell anybody listening in what happened to the Voting Rights bill. And if you look at the two things that are top of mind for the American people, namely, COVID and inflation, a number of members of President Biden's own COVID transition taskforce have criticized the administration heavily for putting all of its eggs into the vaccine basket. Forgetting about testing. Forgetting about adequate stocks of high-quality masks and 95 and KN95 masks.

An on inflation, the administration first denied that it was happening then said, well, it's in scattered areas. Then it said it was transitory. And finally, after almost a year, got around to admitting that it was a real problem. Meanwhile, prices were soaring at the grocery store and at the gas pumps and the American people in droves were getting angry that the administration seemed not to be focusing on what they could see right in front of them.

So I could go on but I think the Biden administration made serious mistakes during its first year and needs a course correction urgently.

MS. KAMARCK: Thank you, Bill. That's a great two ways to look at this. John Hudak?

MR. HUDAK: So I agree with Bill on a bit of what he said about there being self-inflicted wounds for the Biden administration, and I think that can't be denied.

But at the same time, I wouldn't be as bearish about the Biden administration so far. I think one of the real challenges that the President has had has been in terms of the way that he has sold himself to the American public and his administration. He ran for president as someone who talked a lot about his own experience, his own ability to reach across the aisle and his ability to calm what was a tumultuous four years for this country.

And in a lot of ways, he has not delivered on how he has sold himself. Some of that is because of his own doing, but a lot of it is as Sarah said is because of the realities in Congress. And while I agree with Bill, the President knew what those numbers were when he took office. It is hard to argue that the majorities -- they had the slim majorities, but he has had. Has not undermined him in a way that would allude any president.

At the same time, however, the President has had some real successes. Some of them very visible, others more behind the scenes. As Bill had mentioned, the President passed the

American Rescue Plan. And while there is some debate about whether it was the right size or not, it did deliver money to Americans who were in need. It delivered services to Americans who were in need. It delivered tax relief to families in ways that mattered significantly for the reduction of childhood poverty and other areas.

He passed an infrastructure bill again only with Democratic votes after a pretty tumultuous process in Congress. And some of the more behind the scenes issues that he has tackled is dealing with challenges within the civil service. Whether that was around vaccine mandates. Whether it was around the way that federal employees were categorized and the ability of political actors to fire them.

He has done things that don't make a lot of headlines, but ultimately have significant impact. Our colleague, Ross Wheeler is going to have a few pieces up on our fixed-up log later this week about the President's impact on the judiciary. As Sarah said, the Supreme Court has undermined the President, but the President has been one of the most effective presidents in history early in his first term in terms of nominating and confirming federal judges.

These are all issues that matter a lot. One of the biggest, however, to pick up on Bill's point about self-inflicted wounds. I think one of the biggest self-inflicted wounds that Democrats and the President -- the Democrats in Congress and the President have made so far is where they apply blame.

President Clinton after Democrats lost the House and Senate in 1994 was effective in transforming his presidency to say to the American public, the Republican party has hijacked my administration, and they are the cause of the problems.

If you ask the average American why Democrats and President Biden can't get anything passed in Congress? They're going to give you two words: Manchin and Sinema. They're not talking about Republican obstructionism.

They're not talking about popular public policy ideas that are supported by Democrats that are being undermined by Republicans in lock step. They're going to talk about two Democratic senators because that has been the focus of messaging for Democrats. They're not talking sufficiently about Republican obstructionism. And Republicans are sitting back and enjoying

being left off the hook by the President and by congressional Democrats. And that creates a real messaging problem not just now but after what is likely to be Democrats losing control of Congress in this election year.

MS. KAMARCK: Fabulous. And interesting counterpoint here. I will say on the judiciary, it looks like Biden has learned lessons both from Obama and Trump, which is get those judges in there quickly as you can. And of course, Obama was pretty slow on that one and Trump was pretty fast on that one. So Rashawn?

MR. RAY: Yeah, Elaine. It's always great to be with you and our colleagues. I'm always in awe at just the level of knowledge and sort of inside our ballpark that people bring to this. I'll try to just build on it here and make a few points.

If I was grading Biden, clearly, I'm in a mindset of grading a whole bunch of stuff. If I was grading Biden, I would probably give him a C. As most people know at universities, if you get a C minus, technically you have to retake a course that is in your major. So I've got to give him a C. It will probably be a 74. He gets to the C, not a C minus, but definitely not verging on the end of a C plus, and I think is what we've heard from others.

This is about broken promises and failed expectations. And yesterday, I had the pleasure to host the Lower Coast Show on the series of Symposium Channel. And we asked people what grade they would have and it ranged from As to Fs. And so, it would literally end up with being a C. And it wasn't necessarily about what Biden had done. It was more about what he said he was going to be able to do.

It is very much in line with what Bill and John has stated about self-inflicted wounds and him putting some of this on himself. Of course, we can look at the infrastructure bill. That's big. There's a part of that that comes down to a bill with racial inequality that people might not know about. A trillion dollars was allocated to address what was happening in terms of thinking about local communities and the impact that these sort of things were having.

I think the other thing, of course, the selections that we can think about. And then, of course, what's happening with the economic. I mean, yes, inflation is a big deal, but one of the things to think about is we have transitioned from the great resignation which is what people were



thinking about to what I think is a period of employee autonomy that we haven't seen before.

Where people are able to go out and make selections. It's not like people are just sitting at home not working. People are actually taking advantage of opportunities and pushing employers to provide opportunities for benefits and higher wages.

I think one of the other things that I'll talk about as it relates to these failed expectations is that Biden and Harris really campaigned on getting people to come out to vote to address inequality, primarily racial inequality. And when we look at the money that was supposed to go to Black farmers that hasn't happened.

When we look at, of course, voting and what has happened there that hasn't happened. And I want to know something important to people. Victor Ray, who was a nonresident fellow here in Governance Studies and a sociology professor at Iowa. He wrote in CNN the other day that in 2021 more than 440 bills that included provisions that restrict voting access were introduced in 49 states. Four hundred and forty bills. That's important to note. So the fact that the John Lewis Voting Rights Act, the Freedom Act hasn't gotten through is a big deal to a lot of people.

Of course, there has been issues with police reform. They haven't been able to get that through the Senate at all. They haven't even taken up the vote. That was a big part of what Biden talked about in 2020 and in 2021. So accordingly, thinking through these details is that these broken promises, these failed expectations should have Democrats worried going into the midterm elections and even moving forward.

And I think this is a large part about messaging. They need to revamp it. Of course, this has been about Senators Manchin and Sinema. Not about the fact that there aren't any Republicans that have got onboard for the sort of things that American people want. And overall, I think that seat is quite fitting and it's open to figure out if he's going to be able to improve on it.

MS. KAMARCK: Thank you, Rashawn. And I'm really impressed with your precision. Not just a C minus but 74. That's really --

MR. RAY: Seventy-four. That's a C. It doesn't go to C minus. It's just a C.

MS. KAMARCK: Right.

MR. RAY: But it is there.

MS. KAMARCK: Good. Gabe, last word on this round?

MR. SANCHEZ: Yeah. Thanks, Elaine, for having me on this rockstar panel. I don't know if I'll be as precise as a 74 percent as Dr. Ray has. But I think just, you know, trying to cover some spaces that have already been talked about.

I think it's just really amazing how quickly things have changed for the Biden administration. We were off to such a great start when they took office, but now we're really in a position where we're all mostly talking about missed opportunities in the first year.

Look, we all recognize the obstacles the President is facing which are overwhelming. And in many ways, truly unprecedented. With that said, the short drop in approval ratings are telling. And to me has much to do with missed opportunity to take advantage of some important wins with effective messaging as the obstacles that we've all talked about that the President is facing.

Let's talk a little bit about voting rights. A key issue for Latinos, African-Americans, Native Americans. Again, a big part of the voting block that put the President into office. I think when we look at national surveys recently, they showed that more Americans want the President to say and do more on voting rights than those who want him to do less. And to his credit, the President has really been responsive to the public on this issue and intensified pressure on voting rights.

But many Latino and particularly African-American voters might feel like it's too little, too late. Following the 2020 election and the move across mostly Republican states to pass legislation restricting access to the ballot box. Many might wonder why did this intensification not happen earlier? The state of economy, as Dr. Ray already noted this particular area of concern for the President as it relates to Latino voters.

Again, many wins that we can talk about. And many measures of the state of the economy are positive for the administration. However, recent surveys of Latinos were billed at far too many Hispanic counsels across the country right now are still struggling financially with job

losses and other financial hardships making it nearly impossible for them to deal with inflation and the stark rise in housing costs.

While I support the President's goals to address underlying causes of financial strain, really focused on working class Americans like Latinos. At the end of the day when we've asked folks recently in states of New Mexico and Colorado, do they feel as though their personal financial situation is worse than it was a year ago?

Roughly a third of Latinos indicate, yes. I feel actually worse and don't have a lot of optimism about the next year. And I think that's pretty telling and obviously it will have to change in order for Democrats to get the support from Latinos that they need in the quickly approaching midterm elections.

I can't finish my opening remarks without talking a little bit about immigration. And I think immigration is reflective of the President's first year in office overall. The year started with great optimism among immigration advocates. The President really on first day in office shut down a number of Trump administration immigration policies including strengthening protection for Dreamers and limiting interior enforcement among other actions. But that seems like light years ago, unfortunately, because the administration struggled to address an unexpected rise in the number of migrants coming to the U.S. including, as I'm sure we all remember, an influx of unaccompanied children.

And I think that optimism turned quickly to criticism. And the administration has not appeared to be able to regain voter confidence on that issue. I think when we think about tackling comprehensive immigration reform. I think as my colleagues have noted, I think there was just unrealistic expectations set from the get go in campaign messaging about what could be done on immigration. And I think the politics of the situation, the complexity of the problems with the current system. We all know that.

So when the administration attempted to add this to the Reconciliation Bill, we all thought it was doomed from the start. And I think the general public is not going to understand the nuances associated with why this was not successful. At the end of the day, they are going to wonder why the President's campaign promises did not come to fruition.

So it's clear to me in closing that Republicans are working really hard to make immigration a focal point of the midterm elections by framing Biden as an open border president. And this is particular painful, I think for the present administration because at the end of the day, he has mostly continued many Trump immigration policies in the first year. And I think obviously not being able to generate a lot of positive energy from his progressive base by doing something with immigration, but being framed as an open border president. I think that's at the end of the day what we're going to remember from the first year as it relates to immigration.

MS. KAMARCK: That last comment, Gabe, is particularly insightful because it's sort of like we talk about win/win scenarios and it's sort of like he set himself up for a lose/lose scenario when it came to immigration. Because you're absolutely right. We all knew it would not survive the Senate Parliamentarian's ruling on reconciliation. And so, it sort of raised hopes and then it didn't happen.

By the way, the one topic that we haven't had in here is Afghanistan. And when I look at the approval ratings, there is a sharp decline at the end of August. And I think that that goes to the perception of Biden's competence. We thought we were electing a really experienced leader who wouldn't get things wrong. And then that chaotic withdrawal from Afghanistan, I think really hurt Biden's overall approval ratings.

We don't have to dwell on that but I wanted to make sure we put Afghanistan into the mix because I think that looks to me like a little bit of an inflexion point in what happened to him in this first year.

Why don't we -- I'm cognizant of time because there's many of us and there's many viewers and I want to get to some questions. So why don't we do a round that's very simple. If you had the chance to sit down with the President this afternoon, what would you tell him to do to try and right the ship of state and perhaps keep the midterms from being an all out disaster? One or two ideas from each of you and then we'll go to the audience. Sarah?

MS. BINDER: I would just put two things on the table. One is prepare for the unknown on the virus, right? Prepare as if there will be more variance and so forth. And use whatever powers you have in federal government to tackle the problem as best one can in a federal

system.

And second, I wouldn't give up on Build Back Better if that's the last chance for Democrats to achieve a policy gain that they think will improve Americans' lives. Figure out how narrow, how small, whatever it is it takes to use those Democrat majorities, slim as they are, to make a difference in people's lives.

MS. KAMARCK: Good. Bill? Bill, put your --

MR. GALSTON: I have a five-part agenda, which I'll just tick through very quickly.

First of all, I agree with Sarah, right? There are elements of the Build Back Better bill that could command 50 votes in the U.S. Senate. Get to that core agreement as quickly as possible. Make it clear that Democrats can't get what they want so they should take what they can get. Don't zero out Build Back Better.

Number two, there is progress to be made on voting rights. Let us remember that the events of January 6<sup>th</sup> were triggered by ambiguities in law about how the electoral college should function and what the rights of the vice president are. There is bipartisan movement on the Electoral Count Act reforming it since it was passed in 1887 and wasn't any good that year and it hasn't gotten any better.

And there are also other bipartisan bills in the Congress such as one that would enable the expansion of ship production in the U.S. much faster than would otherwise occur. And that's turned into a major bottleneck which relates not only to the availability of cars but also the cost of many goods and services in the country.

On inflation, I would attack visibly on a weekly basis the supply chain crisis starting with the crisis at the ports. I would be visiting ports. I would be out front with my supply chain taskforce. Make that a public effort. People want to see you trying even if you don't succeed. You've got as Bill Clinton, for whom I worked, often said, you have to be caught trying.

And finally, on COVID as a number of critics of administration who were involved in the transition planning that created the Year One plan, it has to be an all of the above strategy. They put all their eggs in the vaccine basket. That basket is full. They now need to focus on therapeutics, on masks and on testing equipment to make a difference which they haven't done in

months.

MS. KAMARCK: Perfect. Thank you, Bill. And on the ship production, my understanding is that there's a version of what happened on the Reconciliation bill going on. That because it is a bipartisan bill and there's consensus around it. People are also trying to throw things into it that then turn it into something that gets more partisan and people are unhappy about it.

So I think there's this bad tendency within the party to try and hang things on popular bills, bipartisan bills and then the bills don't pass. And then we end up with nothing instead of something.

MR. GALSTON: I agree. And I would point out that the infrastructure bill which the President is now going around the country talking about passed with 19 Republican votes in the Senate of the United States.

So don't tell me that that kind of agreement isn't possible. It is but you have to allow a bipartisan process to play out. You have to make political space for it.

MS. KAMARCK: John?

MR. HUDAK: So there's two areas that I would recommend for the President. And the first builds off of what Bill said and I appreciate Bill catching my misspeak in my opening statements by saying that the infrastructure bill was partisan and not bipartisan.

But to that point, there are a lot of shovel ready projects that are going to be going on in every congressional district in every state around the country. This is an opportunity that most presidents take advantage of.

Getting out there and either putting the President's face in front of a bridge, in front of a highway, in front an airport, what have you. Or a cabinet secretary's face there to say, this is the bill. This is the money. These are the jobs that I delivered. That this administration delivered. And having more face time with the American public around issues that are not obscure.

They are not, you know, arcane Senate rules. They are things that people can see and appreciate and understand and wrap their arms around because it is the infrastructure in this country that is failing. And it is this president -- at least he can market himself this way. It is this

president who has come in to save the challenges that this country has from an infrastructure perspective.

And if I were the President, if I were advising the President, I would tell him to get out there and to go to as many congressional districts especially swing congressional districts, new congressional districts after a redistricting. And let the American public know that the last administration and the administration before that and the administration before that could not pass a comprehensive infrastructure bill, but this administration was able to.

The second area that I would advise the President on is to use executive action more. That is to say that when the President is wrapped up in these congressional negotiations, we know that the White House's ability to message it, congressional Democrat's ability to message it in an effective way is an abject failure. What it looks like is that you have a president who sold himself as a negotiator and has failed to be that negotiator so far.

The one space that the President can avoid that is by using the powers of his office to put policy into action. Whether it's around race. Whether it's around voting security. Whether it's around drug policy, immigration. These are bread and butter issues to his base. And things that he can point to as real achievements.

Now, granted they may not be lasting because they are executive action. But in the short term, they are meaningful achievements that avoid the conflicts that exist in congressional negotiations and things that he and his administration can hang their hat on.

I agree with Bill and Sarah to keep at the negotiations in Congress, but also to do what he can do unilaterally to show the American public that he is working for them and for the things that he has already done unilaterally talk about it more. Talk about using the Defense Production Act.

Talk about other areas of policy that the President has addressed from a regulatory perspective and not focus so much on the failures that he has had in Congress. Because it seems like this White House is more interested in talking about the things that don't pan out than the many things that have panned out so far.

MS. KAMARCK: You know, it's interesting, John, as you say that it's interesting.

Biden himself is a creature of the Congress. He was never a governor like so many presidents were. So obviously, his mindset in his mind success is legislative success. And that may get in the way of touting some executive success.

Let's see. I go to Rashawn, yes. What would you tell him?

MR. RAY: You and John just made some great points as well as everyone else. Look, I'm going to first start with a quote from MLK. I think I'm feeling nostalgic this week because MLK holiday was the other day.

I would say, justice for Black people will not flow into this society merely from court decisions nor from fountains of political oratory. That was a MLK quote from a piece that he had on messages of hope. And I would say, look, that doesn't just apply to Black people. I think that applies to all Americans.

Accordingly, what's happening right now is that you are not doing enough on messaging which we've been hearing. So the first main thing is I would say is to think about the midterms or else you will not be able to do nothing. We need to think about how to bring people out particularly in states like Georgia. That must be retained.

We know that there's a governor race. There is a senate race, but there are a lot of things happening there as in other states. But I think that state in particular given who is elected is a big deal.

The next thing I would say is, look, the messaging. You have to play up the wins. Get more Jen Psakis in there. Get more of her to do more talking and figure out how to craft this narrative. I mean as John said, Democrats are horrible at it. And, you know what? Republicans are actually really good at it. And so, part of it comes down to that messaging.

The final thing I would say is stop making promises. We could go back. And I could think of three times where Biden has made a statement and explicitly said, we are going to get this done by this date. We are going to pass the George Floyd Act by this date. We had the Senate majority leader coming out saying, we're going to get voting reform done by MLK's holiday.

Why are you doing that? Why are you telling people that sort of stuff when it's not going to happen? Because now that is the only thing people talk about when I have conversations



with them. Don't care about this -- all the details of the legislative stuff as Gabe was saying.

The final thing I'll say is now that you have made these big promises, you've got to get at least one of them through. You have to figure out how to get one of them through and that could mean though having a plan be all voting rights, which we heard over the past couple of days. And then potentially taking a portion of Build Back Better and then carving that off that people agree on and playing that up to the American public like look how much more I'm able to do. And then build on the existing wins that has already happened.

I mean the infrastructure bill is huge. I mean some of the other things that's happening with the economy and jobs is huge. Biden has been making some very poignant sound bites that I think are a big deal, but they're being overshadowed by these larger things of saying, we're going to get this done by this date. And when it doesn't happen, all people see is that you said you were going to do something for them and you didn't.

MS. KAMARCK: That's great. That's fascinating. Gabe?

MR. SANCHEZ: Yeah, I don't have a whole lot more to add. My colleagues obviously brought their (inaudible) today and had a pretty comprehensive discussion, but I'll double down on focus on communication and messaging largely because that in theory, you have the most control over, right?

You don't have to worry about all these other moving parts, obstacles that we've been spending the better part of the last hour discussing.

This to me includes setting more realistic expectations for the policy areas they prioritize in the years ahead. And I think I'll agree with Rashawn. Stop making those promises, right? We all teach our young ones -- I've got a 12-year-old, right? We always tell them, don't make promises that you don't know you can actually keep. And I think that lesson is one that hopefully they learn from.

And then there's movement in a direction of being more honest and realistic with the public about what they think they can get done. There needs to be clearly more targeted outreach on how policy changes made so far and any other wins that they get in the near future have actually improved the lives of Americans.

I think when you think about like the infrastructure bill. So much of the discussion is up here at this high level. And I think most Americans can't see how that's actually going to improve their everyday living experience. They need to get better at that, right? That's pretty obvious.

Maybe the most troubling aspect of what I'm seeing in the polling data is that on key issues, let's take immigration an area of expertise for myself, many Americans including large segments of Latinos don't feel as though they have a clear understanding of where the Biden administration, and by extension Democrats more broadly, where are they on immigration? That's pretty problematic this far into the administration.

And probably even more of a problem, surveys reveal that large segments of the population again including large segments of Latino voting population don't really see the GOP as being an obstacle to reform on immigration or other public policy areas for that matter. And so, I think the administration and Democrats more broadly really must spend some time connecting these dots for the public or they will allow Republicans to control the narrative on the issue. And as we've all noted, Republicans are very good.

They're already starting to beat that drum on the narrative racking up for the midterms. And I think if Democrats don't copy some of that playbook and get out there and start framing the message, they're going to be in trouble.

And finally, I think directly for the President, he needs to spend more time directly engaging the public. Get out on the road. Make your case directly to the public. Something at the end of the day most folks will say he has not done enough so far of actually being out on the road and directly engaging the public on these issues.

MS. KAMARCK: Perfect. And, Gabe, to your comment about the Republicans being very good at this. I often tell people that the Republican party is very good at playing rope-a-dope with the Democrats.

They just take something that nobody is even thinking about or believing and suddenly they make it into the entire Democrat party is socialists who want to tell your kids -- teach your kids white guilt in classrooms and have transgender bathrooms and on and on and on. And

they do that to the extent that it makes the Democrats look kind of nuts and, you know, people buy it. And we don't push back. We don't see it coming, we Democrats. Sorry about that.

Okay. Listen, we have some great audience questions which will also allow us to fill in some blanks here of topics we haven't covered.

Barry Epstein has sent in a very intriguing question. Would Biden have had an easier first year if Senators Ossoff and Warner had lost? Okay? Would that have forced him into a more moderate agenda? Why don't we start backwards with Gabe? Do you think that would have been an easier first year for Biden?

MR. SANCHEZ: You know, that's a great question, right? I think, you know, playing the what if scenario was a wrong response.

I think in some regards it would have forced him to approach things a bit differently than he did. That being said, however, you know, at the end of the day I think the administration approached the first year as though they had like a very strong numeric majority in the Senate to begin with. And so, if they still took that approach even with the nuances of those races, I don't know if things would have ended up that much different to be honest.

MS. KAMARCK: Yeah. Any other comments on that one? Sarah?

MS. BINDER: Well, not to go back to my self-work list of Ns and Ps, but we'd still have a comma. We'd still have this conversation. We still have the pandemic. We have a partisan Supreme Court. So and Democrats would lose the opportunity to put a rather remarkably diverse set of federal judges onto the bench because I doubt except for the handful of judgeships from states with two Republican senators there would not nearly be that Democratic success in molding the courts or trying to remold the courts.

So I think my guess is we might have seen infrastructure. But I'm hard pressed to see much progress on other issues. But again, if the good in me kind of factual but I don't know how much would actually be different.

MR. HUDAK: So, Elaine, really quickly I'm going to build up Sarah's point. I agree that the impact that the President has had on the judiciary would be wholly undermined if Democrats didn't control the Senate.

I also think his ability to just staff the executive branch would have been held up in really significant ways. Open terms of the number of people who the President could get into appointed positions quickly. But also, as Sarah said about the judiciary, I think it holds for staffing the cabinet as well. The President would not have been able to get as diverse of core of appointees nominated and confirmed as well.

But the core of Barry's question about whether things would have been better, I think relies heavily on Democrat's ability to message. And Democrats can't message effectively. And so, yes it would set the President up and it would set congressional Democrats up to paint Republicans as obstructionists. Well, they have that ability to do that now and they're not doing it effectively. They're shooting themselves in the foot.

I think to Gabe's point in his opening comments about immigration in particular is a classic example. Every conservative in the country believes that Biden has an open border policy. And every progressive in the country thinks that Joe Biden's immigration policy is Donald Trump's. It takes real talent to convince half of the American public that you're horrible for one reason and the other half of the American public that you're horrible for the exact opposite reason.

That's the crux of Democrat's messaging issues which would have been true if Ossoff and Warner were Senators -- is true with Ossoff and Warner as Senators and would have also been true if they lost both of those races and Democrats were in the minority in the Senate.

MS. KAMARCK: Okay. Any other burning comments? Go ahead, Rashawn.

MR. RAY: Yeah. Can I just quickly say, I grew up in Georgia. As many of you all know, I grew up in Atlanta. I completely agree with what people are saying. To the American public, it could be that some of the same legislative outcomes could have happened, but the judges will be a very, very big deal in terms of what's happening there.

And in particular, if we go to the state where I was born in. In Tennessee, as you all know last week, Marsha Blackburn came on a huge offensive to a nominee, Andre Matthews, who I actually went to college with at the University of Memphis. Who's a great guy, by the way. But that speaks to if they weren't there potentially the statements, she was trying to make about some speeding tickets for going five miles over the speed limit if we talk about, why that might have

happened.

When nonetheless, it would have probably further made the likelihood that people like Andre Matthews and others might not be able to get on the bench.

I think the other thing about Georgia and Senator Warnock being there, look, he's a pastor. He's the pastor of MLK's church. The symbolism of that in Georgia. So an indirect effect might be had he lost going into the midterms, there might not be a lot of enthusiasm in the southern part of the country particularly in a state like Georgia. People are enthusiastic about getting Warnock in more permanently. They're excited about Stacey Abrams running again.

If they would have lost, I'm unsure if that momentum would be there in Georgia which then goes out to other states. We've got to look at Alabama and Mississippi, which have been electing minority mayors, Black mayors in cities that have not happened before. So there's this trickledown effect of Democrats building authority that might not have happened if they weren't put in the Senate.

MS. KAMARCK: Okay. Bill, do you have anything to say on this or should I go onto the next one?

MR. GALSTON: In the interest of time, let's move on.

MS. KAMARCK: Okay. I have two questions which I think will take us to our end time. And they're different questions so you can address both or you can pick which one.

The first one comes from a Voice of the America Reporter. And he asks -- he or she, I don't know who it is -- I wonder whether the panelists can talk a little bit more on his dealings with China and Russia? Did he score anything on this front? And I think that can open up a broader foreign policy question.

And then the second question comes from Paul Hidamin (phonetic). And it said, what parts of the Build Back Better bill can pass? What would you say to him? What would you suggest he pull out of the Build Back Better bill? So there's a sort of China and Russia and then I think foreign policy in general. There's a Build Back Better drilling down into that. We've all talked about that.

And so, you can choose which one, and why don't I go to Bill first because I think

Bill might want to address some of the foreign policy angles.

MR. GALSTON: Sure. On the foreign policy front, I think that the Biden administration has been at its best in its dealings with China. The administration from Day One had a plan. They've been executing that plan. They've been strengthening our alliances throughout the Asian-Pacific region. They've made an important decision about nuclear powered submarines going to Australia.

And in general, the administration has strengthened the sense throughout the region that the United States has important interests in the region that it is prepared to defend and to include our multiplying allies in the region in the planning and the execution of that defense. We will not know what all of this means unless and until Xi Jinping and the Chinese Communist Party intensify their military pressure on Taiwan. That will be a crisis.

On the European front, I think the administration has done again a very professional job of involving the allies in discussions about what to do about the Russian challenge to the sovereignty and territorial integrity of Ukraine. And it has really been a model of professional staff work in support of an alliance structure which is complex but vital. And I think I'll leave it there for now, but there was a domestic question as well. Can you remind me of it?

MS. KAMARCK: Yes. Yeah, the domestic question is on what pieces of Build Back Better can --

MR. GALSTON: Okay. That's simple. Senator Manchin has endorsed a \$1.8 trillion Build Back Better package that would have put him far to the left of anybody in the Obama administration as an index of how far the senator of gravity of the party has shifted. Without his vote, there is no bill.

So take his package, make sure that Sinema supports it and then tell the rest of the party, it's this or nothing.

MS. KAMARCK: Okay. Let's see. Let's start with John. John, are you going to answer both or one?

MR. HUDAK: Sure. I'll stick to the domestic policy question. Bill's expertise on foreign policy far exceeds mine so I'm going to defer to him on that.

But in terms of breaking up Build Back Better, I think there's two conversations that the President should have. One of them is obviously with Manchin and Sinema about the parts that they are supportive of. And I think Bill points effectively to what Senator Manchin has said that you supported or would be willing to support, which is actually quite substantial. It might not be what House progressives want exactly, but it still delivers a lot of important policy reform to everyday Americans.

The other conversation to have is with Republicans in the Senate and to ask them what in this are you able to support? It's hard to imagine a bill going to the floor to put a cap on insulin costs that every Republican in the Senate is going to be willing to vote against in lock step.

There are diabetics in every congressional district in every state of this country. And there are a lot of underinsured or uninsured diabetics in every state in this country. And the costs of their insulin are staggering. And so, when you think about what is, A, doable but also at the same time something that is going to be nearly impossible for Republicans to defeat. Those are the types of policies that you go after.

And until you have a really open conversation with Republicans in the Senate about every individual detail of this bill, you're not going to know exactly what that is. And I would go a step further to say, you know, I think the defeat of the larger Build Back Better bill ends up at the end of the day being a political win for the President because I think if it passed, Democrats and the President would have an impossible task of convincing the American public that it was a good idea.

That it wasn't hyperinflationary. That it wasn't something that was socialist, et cetera. It reminds me a lot of the Affordable Care Act. A lot of Americans supported a lot of individual provisions of the Affordable Care Act, but they hated the Affordable Care Act.

Build Back Better would have been exactly the same thing for the Biden administration where people would have loved the rebate on electric cars. They would have loved lowering prescription drug costs and a cap on insulin. They would have loved, you know, leave provisions and the child tax credit, but they would have said that Build Back Better was socialist.

And Democrats would have never been able to counter that. And so, breaking it up

ends up not just being a policy win but ultimately the better political win for this administration.

MS. KAMARCK: I totally agree. I totally agree. I don't know why we are addicted to these mammoth bills anyway. These mammoth catchall bills are impossible to message, but piece by piece, they're pretty good. Sarah?

MS. BINDER: So let me just first say. I mean I understand the allure of the piece-by-piece strategy and for all the reasons you've laid out. It makes a lot of seemingly political and electoral and bipartisan logic. But the problem is in today's Senate intense partisan disagreement. Not necessarily over details of policy but over partisan team play. Your team is for it and my team is against it.

And McConnell has already issued his version of the, we want to make Biden a one-term president. And that just is not leave a lot of opening. Maybe a better -- maybe a president who served in the contemporary Senate more recently than a decade ago might have made a difference. But there's not a lot of opening here for piece-by-piece legislating where you're counting on at least 10 Republicans to join in.

And so, why do we end up in these mammoth bills? Because that's the structure that Democrats or Republican majority have under the rules of the Budget Act. And I agree. You throw \$2 trillion of material into there and nobody knows what it is and no one can say what the Biden administration has been working on.

So in some ways, I think the Democrats are caught here. Although, I think maybe this was John's point earlier or maybe it was Ray's. Better to have tried and make the claims that over promises, Gabe's point, in regardless even if you come up emptyhanded. That's it.

If I was waving the magic wand and if I was not Nancy Pelosi and didn't have to actually build this majority, I would go for tax incentives for clean energy because it seems to be as long as they weren't punitive that Senator Manchin would sign on. Money for ACA, Affordable Care Act subsidies. Help Americans buy insurance, which also does not bend a lightning rod of late.

And work on that child tax credit, right? It has a bipartisan history. Not a long history, but it has a bipartisan history. It's been expanded over time. I think Democrats probably got lucky last year to take advantage of the crisis afforded by the pandemic to make a, what I think



social policy experts said was a remarkable child tax credit. They're not going to get that version again. But find a version that works. It seems to be a policy that puts money into a deserving parents' pockets.

So I think the point is there is room for progress here, but I don't know how well our counterfactuals would actually lead to different outcomes for 2021.

MS. KAMARCK: Gabe and then Rashawn and we'll be ready to have final words. Gabe?

MR. SANCHEZ: I'll take a shot at the domestic policy question as well. I think I agree with all the comments that have been made so far about the negotiation process involving finding common ground among both Republicans and obstacles in the President's own party. However, you know, I'm usually a pretty optimistic fellow, but these days it's becoming increasingly difficult to be that.

I think I agree with what Sarah pointed out. I mean we've been pretty hard on the present administration but with my last comments, I think we've got to point out the elephant in the room, which is as long as Republicans prioritize. Not allowing the Biden administration to have any wins whatsoever, right? Overpassing policy that even large spread members of their own party support, I don't know if there's going to be a whole lot of room for negotiation, right?

All that being said, right, among the pieces of the puzzle that I think have the widest support and greatest chance of actually getting done if it's broken apart, expansion of affordable healthcare coverage and affordable housing. To me are areas that have widespread support and become even more salient during the pandemic. By every single survey, Democrats and Republicans alike, all have indicated the cost of healthcare insurance and the cost of healthcare is too high and they want something done about it. And growing concern about being able to afford housing. Whether you're talking about mortgage or rent.

So I think if it does break apart, those two areas hopefully will be something that can get done and the administration could directly point to how that's directly impacting them at the individual level, which we have all talked about needs to happen.

MS. KAMARCK: Fabulous. Rashawn?

MR. RAY: Yeah. I'm going to double down talking about children and families. The child tax credit and universal pre-K which we haven't brought up seem to be two big things. I think that could be leveraged about the pandemic that we know that children are falling behind.

When it comes to the child tax credit, we know that Senator Manchin has made some inflammatory and very stereotypical statements about low-income families. They're not overwhelmingly using their money on drugs. They're using it to put food on the table, keep their lights on including many in West Virginia.

With that being said, something that Manchin seems to be open to is lowering the threshold for the child tax credit for which families qualify. So lowering the threshold instead of keeping it higher could give Manchin onboard and it might pave the way for the larger package, which is as Bill has said. He seems to really be onboard for but the child tax credit seems to be one of the big sticking points. I think it could be lowered. We could still help out a lot of families particularly those that are in poverty and get this big bill passed.

MS. KAMARCK: Well, thank you very much everybody. We've come to the end of our hour. There are some fantastic questions in here that I suspect you can email individual members of this panel about because we didn't get to them, but this is a big topic. We could have gone on for another hour, hour and a half but I don't want to try everyone's patience.

And thank you to Bill and Gabe, Sarah, John, Rashawn for participating with us this morning. And thank you audience for some very insightful and interesting questions. This is a big topic. I suspect it's a topic that's being heavily discussed in the White House, day after day after day. And we'll see how the President steps up to the plate this afternoon at his news conference. Thank you very much everyone.

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