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NO LABELS

A RAY OF LIGHT EMERGES IN WASHINGTON



BY ANDREW TISCH





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Problem Solvers Caucus

The COVID-19 pandemic and the cascading crises America has faced in 2020 have exposed so many divisions, inequalities and weaknesses—social, racial, political, and financial—that are tearing us apart and making an already dysfunctional political system even worse.

But a small ray of light is emerging in Washington. The House Problem Solvers Caucus—a group of 25 Democrats and 25 Republicans—has been working together to forge bipartisan solutions and embracing the ethic of country over party. At a moment when the dominant attitude in American politics seems to be "I can only win if you lose," the Problem Solvers are growing in influence and pointing a way out of DC's endless cycle of dysfunction.

The caucus managed to jump-start dormant COVID-19 relief negotiations when it released its "March to Common Ground" bipartisan COVID-19 relief framework on September 15, but Congress and the White House now appear unlikely to get a deal before the election. I am a longtime supporter of No Labels—which helped inspire the creation of the Problem Solvers Caucus—and I had the opportunity to speak with Caucus co-chairs, Rep. Josh Gottheimer (D-NJ) and Rep. Tom Reed (R-NY) on October 15 about their unlikely alliance and friendship, how power is really exercised in Washington, and their vision to shape the debate in Washington in 2021 and beyond.

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Andrew Tisch:

Let's start with an issue at the top of everyone's mind.

Federal Reserve Chairman Jerome Powell just warned there could be "tragic" consequences for individuals and businesses without a new COVID-19 relief bill from Washington. In a recent survey, almost 9 in 10 voters say America needs another relief bill. And, the Problem Solvers Caucus released a bipartisan framework for such a bill. So despite clear economic need for a deal and a public desire for a deal, there is no deal. Why?



Rep. Tom Reed:

It's the toxic politics of not wanting to give the other side a win before the election. And as we get closer to the election, our hope is that issue is put aside so we can do a deal, get it signed into law, and

because the election is so close, the impact politically is nominal, and people say, "Okay, the cake is already baked so we can go forward with it." That, to me, is potentially the scenario that overcomes the political opposition to this.

My concern is there is a thought process on Wall Street;

there's a thought process downtown on K Street; there's a thought process with a bunch of CEOs and other folks, after the election, that somehow we are going to wake up and sign a \$1.8 or \$2 trillion COVID deal and everybody is going to get along once the election is over.

As I read the politics, as I see the post-election litigation coming down the pipeline, there is going to be no deal until the middle to end of February at the earliest.

Do you think we can survive until then without any additional stimulus? I'm with the Federal Reserve Chair. We need to do it now. We should overestimate the need and provide the relief the American people deserve.

We need to wake folks up to this reality; because I've heard the CEOs, I've heard them talking to their consultants, and I've been butting in on those conversations saying, "That consultant is not giving you a straight answer," because on December 11 [when the current continuing resolution funding the federal government expires] there is no guarantee that this gets done. After the election there is no guarantee that this gets done.

The earliest it gets done—by the time the politics all gets played out in the litigation on Bush vs. Gore on steroids for 2020—is going to be the end of February.

If you think you can survive as an airline, as a restaurant, as a venue, as a small business—you name where you're at

from a business perspective, and as an individual, those people at 8% unemployment—I just don't see it.

That's why we have to get it done before the election. I think the reality of that is starting to creep in because I'm hearing more and more folks raising the alarm of the ramifications of inaction. You saw Wolf Blitzer and the Speaker have their famous exchange a few nights ago?

The Progressive Caucus and others are weighing in, and the business leaders are starting to weigh in. Everybody's starting to sing from the same sheet of music saying: "You have to get this done before the election because we can't wait until February."



Rep. Josh Gottheimer

Well I think the Speaker was partially right and justified in her frustration with the process so far—I mean she's been negotiating with an Administration that has said one thing then changed their mind nearly daily about pieces

of the deal or whether there's even a deal at all, and Majority Leader McConnell has done everything he can to block the deal since day one.

But our real strength [as the Problem Solvers Caucus] is the

ability to almost build a coalition of votes around ideas and issues. We have spent less time in the Freedom Caucus model of just blocking things by saying no and more time effectively working the governance to say "yes," if that makes sense.

We really try to figure out how we can put people together to put enough votes together to get something across the line.

We don't try to surprise our leadership. We try not to disrupt for the sake of it. We try to be constructive and pragmatic people who are really problem solvers.

I mean, if you look at what we're doing right now, COVID is a great example, right? It's sort of the exact model of what I think we were built to do. The tarties had stopped speaking and it had been nearly four months since the two sides sat down.

You've got millions of people who are really hurting. So many families are out of work as a result of the virus. There's a need for more testing and investment in healthcare and childcare in our schools. There's another stimulus needed. Of course, there are so many small businesses that have either gone out or are right on the edge who need our help.

But both sides had walked away and were not talking. You're never going to get a deal if you don't talk to each other, right? It makes it impossible.

So Tom and I, along with a group of other excellent members of our Caucus, said, "What if we actually put out a framework?"

We just said, these guys aren't talking, but there has to be a path here. There are things here; I bet if we talk to one another, that we all could find agreement with 25 Democrats and 25 Republicans.

Usually, you can't get two people to agree. We have 50 people we've got to get to agree. We spent a month working on this, bringing people together, having lots of meetings and lots of ideas, and great leadership from [Problem Solvers Caucus members] Dean [Phillips] and Dusty [Johnson] and Anthony Gonzalez and Abigail Spanberger. We all just kept meeting and meeting and meeting. Then we talked to the larger caucus several times, and we were able to get there.

That disrupted things in a positive way in Washington. We actually helped get both sides back to the table. We were talking to our leadership and to the White House, and as a result, I think we were able to get people back to the table to talk again.

Our framework is being used, as the White House acknowledged, as sort of a way to kick off discussions and move them along as an elixir. Over the last month, there

have been back and forth meetings, but we said all along we had two goals in that process, one to get people talking again, two, to present a framework for that conversation. These were our goals.

We aren't the negotiators, right? Other people have those jobs. But the negotiators weren't negotiating, so we wanted to force them to negotiate. Get them back into the room. We did that. Those are the goals we set out to do, and we achieved them.

Now, our ultimate goal is to get a deal done. But it has to be the negotiators, so we keep pushing and pushing and pushing and not backing off.

Andrew Tisch:

Are there enough senators to get this thing passed and get financial aid to the people who really need it without it looking like anybody gave in?

Rep. Tom Reed:

Obviously if the White House and the Speaker agree on that final package, and talking to our Senate friends, there are a number of Republican senators, who, when presented with a final package, would support it.

Senator Schumer also needs to give the go ahead and

release the votes to get on this bill. You're going to need 60 to do it.

Andrew Tisch:

So basically, that would be truly bipartisan. That's the only way it works?

Rep. Tom Reed:

It's the only way it's going to work anyway because you need the 60 votes to get there, so it has to be a bipartisan deal. The deal in the House would be bipartisan, and the deal in the Senate would be bipartisan.

Andrew Tisch:

Ok, let me step back with a big-picture question. The Problem Solvers Caucus describes itself as "committed to forging bipartisan cooperation on key issues." You can imagine people being skeptical about that mission in today's environment. What would you say to cynics who don't think that what the problem solvers are trying to do is even possible?

Rep. Tom Reed

Well, we hear that quite often, especially when we started four years ago. We were told that you're tilting at windmills, that there is too much polarization and partisanship in America for this to work. But I'll just tell you; we'll put our track record up against anyone. We have become the go-to place for getting legislation done.

We have moved the needle on reforms: We've led the charge to improve the rules of the House, which are, as [former House Democratic Majority Leader] Dick Gephardt told us, generational-types of impacts that haven't been done in 70 years.

We've moved critical legislation like the First Step Act, which was criminal justice reform; a magnitude that hasn't been done in multiple administrations, and we got that done under President Trump.

We also just did the Great Outdoors Act, which was a piece of conservation legislation that the Problem Solvers Caucus heavily invested in. That's a piece of legislation that was bogged up for 11 years in partisan politics, that has done more for the environment and conservation law than anything in the last 50 or 60 years.

We're gaining serious credibility. And now, with the COVID-19 stimulus negotiations, we were widely credited as the group that got these individuals back into the room to start negotiating again. We're right in the middle of trying to land this plane as we speak so we get relief out the door to those who need it. So, I would just say, if you don't believe in what we do, look at our record. And also, if you want to have the status quo of just yelling at each other, Godspeed, but you're not going to accomplish anything. You can vote no all day long, but what does that do for the American people. How does that help our country move forward? If that's what you went to Washington DC to do, God bless you, but let's be clear about what that strategy leads to.

We as Problem Solvers Caucus members came here to get something done. We're proud Republicans and proud Democrats, but we're willing to stay in the room, have the fights, but respect each other as Americans and put the American people first.

Andrew Tisch:

So Josh, what caught your eye when you came to Washington as an elected official, about No Labels and the Problem Solvers Caucus?

Rep. Josh Gottheimer:

You know, I ran in 2016, really for the simple reason that I had grown up watching the way governing should be done, with people of both sides actually finding places to work together.

Democrats and Republicans have disagreed publicly and

debated since the beginning of time, that's what makes our country so great, but how it was done, and the way parties worked together to actually govern, in my mind, has really disintegrated on many fronts.

I watched the rise of the Tea Party movement, and now, instead of people celebrating cooperation and pragmatic solutions, they see it as a liability and something to attack on social media and cable news.

What should have been rewarded, which is people actually sitting at the table and getting things done and moving the country forward, was no longer an asset. The media made stars out of those who screamed and yelled instead of those who actually built relationships and built trust and got things done.

So that was a lot of the reason I ran as a modern, probusiness Democrat who thought we could do much better and with a different approach.

I obviously knew about No Labels. I had seen it for years from when I was outside the government in the private sector. Then one of the first things I did was sit down with Tom Reed, who I was introduced to, and [someone] said, "You two are going to, policy-wise, probably disagree on lots and lots of things, but you'll love Tom. He takes the right approach, and he's just a good guy. I think you two should get to know each other."

I think we first met in New York on a panel soon after I was elected and the new Congress started, and said, "What if we try to update the Problem Solvers Caucus, which had existed in a different form and in a more formal way? What if we added some more structure to it and some more formal rules about it? What if we changed things like a requirement that if we got to 75% agreement [among Problem Solvers Caucus members], we would vote as a block? What if we agreed to a commitment to each other that we wouldn't campaign or go into each other's districts and spend money and get donations against each other? What if we committed to actually sitting in the room and meeting every week? What would that look like, and could we get that through?"

I'll never forget our first meeting that Tom and I had; we put these ideas on paper, we made bylaws, and then we got a group together who adopted these bylaws. We then got picked as co-chairs and started working together.

There are very few days that have gone by that we haven't spoken to each other. It's a pretty remarkable thing. Not just what we've created, the two of us working together, but what this group of 50 has accomplished by working together.

Andrew Tisch:

But originally, wasn't this a real leap of faith because the Problem Solvers Caucus was not strong; it didn't have much teeth in it? There must have been something about No Labels and the Problem Solvers, something about the idea that you said this would be a good place to build something from.

Josh Gottheimer:

We had some pivotal moments, which I think, really, I'll call them breakout moments. The first conversations we had were, "Maybe we should start with some small-ball items and just put a few points on the board," which, by the way, we now also do.

We endorse bills as a group; we get behind far more legislation than ever since we were able to get the rules changed; we got behind other bills that have vast bipartisan support and try to get them over the finish line and force votes on them through our 290 rule, which we helped get changed in the Congress.

But, and Tom will remember this, our big moment, I really think it was when in health care, [Senator] John McCain at 2:00 in the morning voted no to massively changing the Affordable Care Act.

We had been working for, I guess, a month, hundreds of hours, on a different approach. It wasn't ready yet, but it was close. Suddenly McCain votes no, and we sprang into action with an alternate proposal, which was very bold because it upset [Tom's] team, upset my policy team. We made suggestions that both sides wouldn't love, which is usual in any good deal.

Tom and I got the whole caucus together on a moment's notice the morning after the McCain vote. It was before we were all going to go home for the weekend before we had a recess; we got 40 people together in the room the next morning, we all texted each other, everyone showed up, we debated for a bit, we made some tweaks, and then we adopted this package.

So instead of starting with a small item, our first real major push together was a massive item, of taking on the biggest issue of the day; The Washington Post and others praised us publicly in a big way for what we had suggested.

It was bold. It was different. It was courageous. It was taking on our leadership, and that put us on the map and really set the tone for how we've now approached everything we do in sort of a fearless way.

Andrew Tisch:

So Tom, your leadership, must love you.

Rep. Tom Reed:

They have a love/hate relationship with us. But one of the things they do appreciate is we do keep them informed. We keep our word, and we are honorable when it comes to making sure we don't catch anybody by surprise. We want folks to know what we're working on. We keep them apprised of what we're trying to take on in regard to small issues as well as big issues. And, they know when we get involved that we really roll up our sleeves.

What is also giving us a lot of credibility is the cohesiveness of the group. The group is really getting to know each other. You know, Josh and I have a true friendship. It's a mile wide and a mile deep.

So we have these friendships and these relationships. What leadership doesn't necessarily like that much is, we're willing to take on these issues, and have each other's back, and do some things that can be viewed as a threat to the power structure of Washington and the House, and in particular the Speaker's Office, whether it be Pelosi, Ryan, Boehner, or whomever.

All the decisions and power for making fundamental decisions increasingly rests with just a few people at the top. Now we're clawing that power back. We're standing up to that power. That can be upsetting to some.

But from our perspective, that's a good thing. We're trying to empower members themselves. When they do the hard work of building bipartisan support for an issue, for example, that consensus calendar Josh talked about, the 290 co-sponsors, they should be rewarded, not penalized.

I'll give you a sad example of a piece of legislation where a non-Problem Solvers Caucus member utilized [the 290 rule]. Our widows for our Gold Star families had a tax penalty imposed upon them. When their warriors would be killed, the Gold Star family would suffer a tax penalty as a result of the benefit they would receive.

Because the sponsor of that legislation was not very welcomed by leadership, that bill was not allowed to proceed to the floor at all. It was a petty, personal, political vendetta, but because he was the author of that bill, they were not going to let it see the light of day. Regardless of the fact that it would directly help the families of our nation's heroes.

Rep. Josh Gottheimer

It's amazing to me how Republican leadership blocked that bill for so many years which would have helped Gold Star families.

Rep. Tom Reed

We changed the rules of the House. That bill was one of the first to use the consensus calendar, the 290 co-sponsor calendar. It challenged how leaderships works. The

leadership was not happy about it, but it made its way through the process, and now it has been signed into law because of what we did.

I'm very proud of that bill. We wanted the individual who sponsored it to do so because he worked on it for years, but the bottom line is, it wasn't going to get signed into law but for what we did.

Again—those are Gold Star families. Those are the families that both sides of the aisle always applaud, always stand with, and they would have continued to suffer financially but for the work that we did in changing the rules of the House.

Leadership is afraid in Washington of members doing their own thing. They're afraid of what members are going to say, that members are going to upset the apple cart. Everything is following the proper party line and all the members have to follow along. There's a "go-along-to-get-along" type of attitude.

I think what you see in the Problem Solvers Caucus is us just saying, "You know what? We have responsibilities to Congress, and we have a job to do. We're willing to have the debate in an honorable way by giving them [leadership] a heads up, but we're going to push what we think is right because that's our job as members of Congress. We have an obligation to serve the American people." Some people in Washington forget that.

I give credit to all of our members. I'll tell you; we have more members coming up to us. I know Josh has this on his side also. They're like, "What you guys are doing is why I ran for Congress." They are asking to get into the Caucus. They want to be a part of this group.

And remember, we don't let anybody in who doesn't share an honest commitment to what we're doing here. So we're very sensitive. You can't just say, "I'm going to be a member of the Problem Solvers Caucus," and put it on your resume, and everything is good to go.

You have to show up, look each member in the eye, and say that you're willing to honor your commitments, honor each other's respect for each other, trust each other. And then, we approve that person for membership as a group. That is very important in making sure that this Caucus has the credibility and longevity that it needs to survive and change Washington.

Andrew Tisch:

So it seems to me that if you've got 50 people, 25 and 25 [the Caucus requires each new Democrat to join with a new Republican and vice versa] who are willing to vote as a block, that makes you almost as powerful as being a third party. Is that a fair assessment?

Rep. Tom Reed:

I think we're really more trying to be the voice of reason that leads to things getting done; especially as we go into the next Congress, where the delta between the minority and the majority, and how big the Caucus remains, is so important. You always have to make sure you have enough Republicans and enough Democrats to overcome the delta between the two.

And, knowing the process of DC is just as important as knowing the policy and politics. Those three P's are critical to being able to get things done successfully.

We are coming at this from a positive disruption perspective, not to be a third party, but to achieve pragmatic results, which will require us at times saying, "You know what? We don't like the partisan path you're taking. We have enough votes to course-correct because 218 is the magic number, and we're going to put up a roadblock."

The Freedom Caucus, the Tea Party, and especially as we watched the Democratic Party have their own Tea Party-type group and their hard-left group—all want to use their influence as a block of votes to influence the agenda to the left or right.

That's where we come in as Problem Solvers Caucus Republicans or Democrats to be willing to keep the process of the House going forward. We can be in a position where when the Tea Party and the Freedom Caucus would want us in the Republican Party to go to a very extreme position; where we are the barrier that can push back on that and say, "we're not doing that. We're not going to go down there and put our members on record voting for X, Y, and Z."

We believe that will continue happening from a process perspective in the next Congress. But then also, you have to remember, whatever happens after this election, we still have to govern. That's going to take 60 votes in the Senate. It's going to take 218 votes in the House. We're going to have to find some ways to work together to get that magic sweet spot put together legislatively from a policy perspective.

We can be the influencers and the means of bringing these two sides together and coming up with a magic formula to get the needed votes in the House and Senate.

What I've learned over the years is that governing from a one-party, winner-take-all perspective doesn't work. 1) It's not good policy-wise; 2) it not sustainable; 3) it is next to impossible to get much done; and 4) it's bad for the American people.

We had so many proposals where [Former House Speaker] Paul Ryan would be up there, [Former House Speaker] John Boehner would be up there, and just say, "Let's just do it the Republican way." You could never get to 218. You can never get to 218 because you could not pacify that extreme wing of the party and align it with the moderate wing of the party and still come up with 218. In order to legislate and

govern, you always had to go to the more pragmatic centerleft members who are willing to listen and have a conversation where you'd come to an agreement.

That's where we are. We got ahead of that curve as Problem Solver Caucus members because we talk to each other, we listen to each other, we trust each other. We never had that during the Tea Party years. Our Republican members did not know the Democratic members. There was no conduit between the two sides. They had no relationship.

Our leadership has no relationship today. They don't know each other. They don't trust each other. We [the Problem Solvers] are kind of Switzerland, if you would, where, at times, we do diplomacy behind the scenes to keep the operation going.

Andrew Tisch:

What is your hope and expectation for 2021 and beyond? This is a very contentious election. We have a lot of issues to face, but once it has all been settled, and Congress is moving forward, what is your hope and expectation?

Rep. Josh Gottheimer:

My hope is, one, to bring the temperature down in the country and remind the country and show the country, the importance of civility in our process and that it's doable

and that we live in the greatest country in the world and a key part of that is how we disagree with each other.

Two, that we have a very peaceful transition, whether the Democrats or Republicans win the White House and Senate. That no matter what happens, we show that democracy can have a strong transition regardless of what that looks like. I think it's very important to have faith in our government and in our systems.

And three, that I think our caucus can and will play a very important role in the next Congress because regardless of how things turn out, it's very important that we show that we can govern working together and as Tom and I always say, it is more durable when we do it together.

I think it's a really important perspective because when you do things in a purely partisan way, regardless of the side, we've seen that it just fuels more of the hatred and division. But when you do it working together, it shows that we can govern as a country and put our country first.

I think we're going to have a very important role to play because both the intra-party spats and the inter-party spats will depend a lot on that.

Rep. Tom Reed:

I'll just end on that question by saying, you know, echoing

what Josh says, but in '21 and '22, our primary goal is to get through the COVID situation, get a vaccine, get the economy humming again.

Then the reality of 2022, in my opinion, is the day of reckoning on this national debt crisis, and the rise of China is also already coming to a head. We need to be positioned as a country in a strong position politically and economically to ensure we can get through both of those generational types of moments that we're going to have to confront.

If we confront it in a polarized fashion, us versus them, Republican versus Democrat fashion, I don't know how we will successfully tackle those two critical issues. We need to be united when those crises hit; when they actually ripen to the point that we have to face them and overcome that, and that's just right around the corner.

The Problem Solvers Caucus, I think, is going to be ahead of the curve to be the forum where people can come together to unite and tackle these common threats to our long-term security.

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