

Referend-HIM! The “Not It” Election



How Trump 2.0 Would Differ from Biden 2.0



-16

Net Favorability

(538 avg of polls as of 5/28/24)

-13



Referend-whom? If the 2024 U.S. Presidential election is a referendum on Joe Biden, he'll lose. If it's a referendum on Donald Trump, *he'll* lose. **Both need to make the race all about the other guy.** When voters ask whom to blame for their discontent, the campaigns reply "Not It."

Part 1 examines the state of the races for the House, Senate & White House. In the Presidential, the mood, map and much polling currently favor the challenger. Yet **both campaigns have major weaknesses, with many potential game-changing moments ahead.** The race will be close and may end up the most heavily-litigated contest in American history.

Part 2 contrasts Biden 2.0 with Trump 2.0. While some policies will remain consistent, expect major differences. **Trump 2.0 could prove as disruptive to the status quo as the original if not more,** for better or worse. Meanwhile the 119th Congress faces a huge agenda in 2025-26, with global pressures rising.



THE CAMPAIGNS OF 2024

*Angry Voters + Tiny Margins =
Everything is in Play*

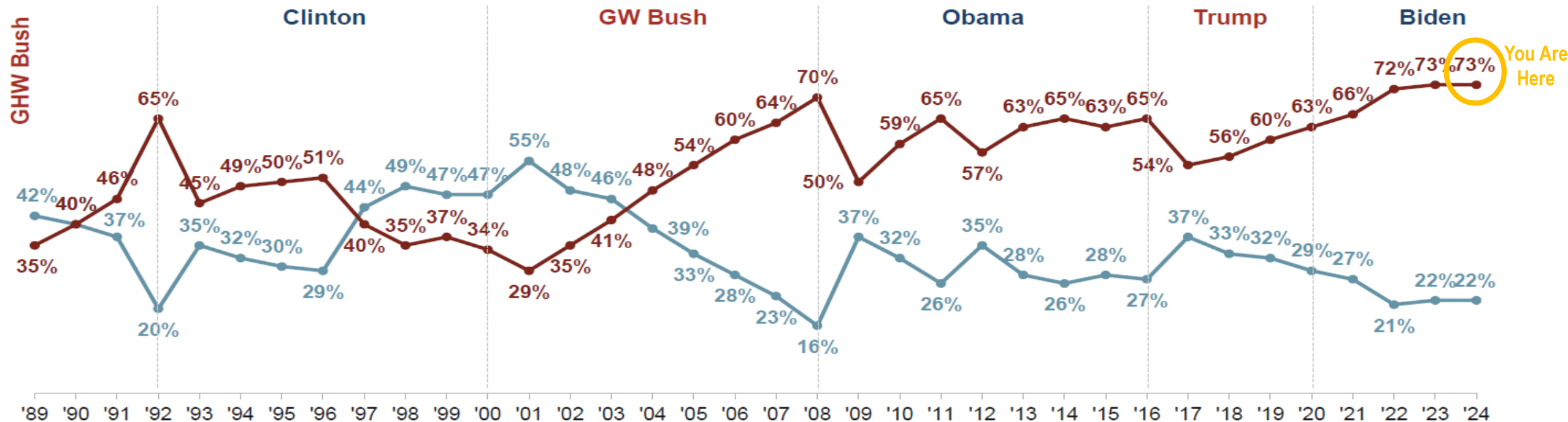


MOOD: PERCEIVED DISORDER IS DRIVING DISCONTENT

American Voters Sense Things Are Out of Control, On Wrong Track



— Nation is headed in the right direction — Nation is off on the wrong track





MAP: TWO PATHS TO 270, TRUMP LEADING BOTH RIGHT NOW

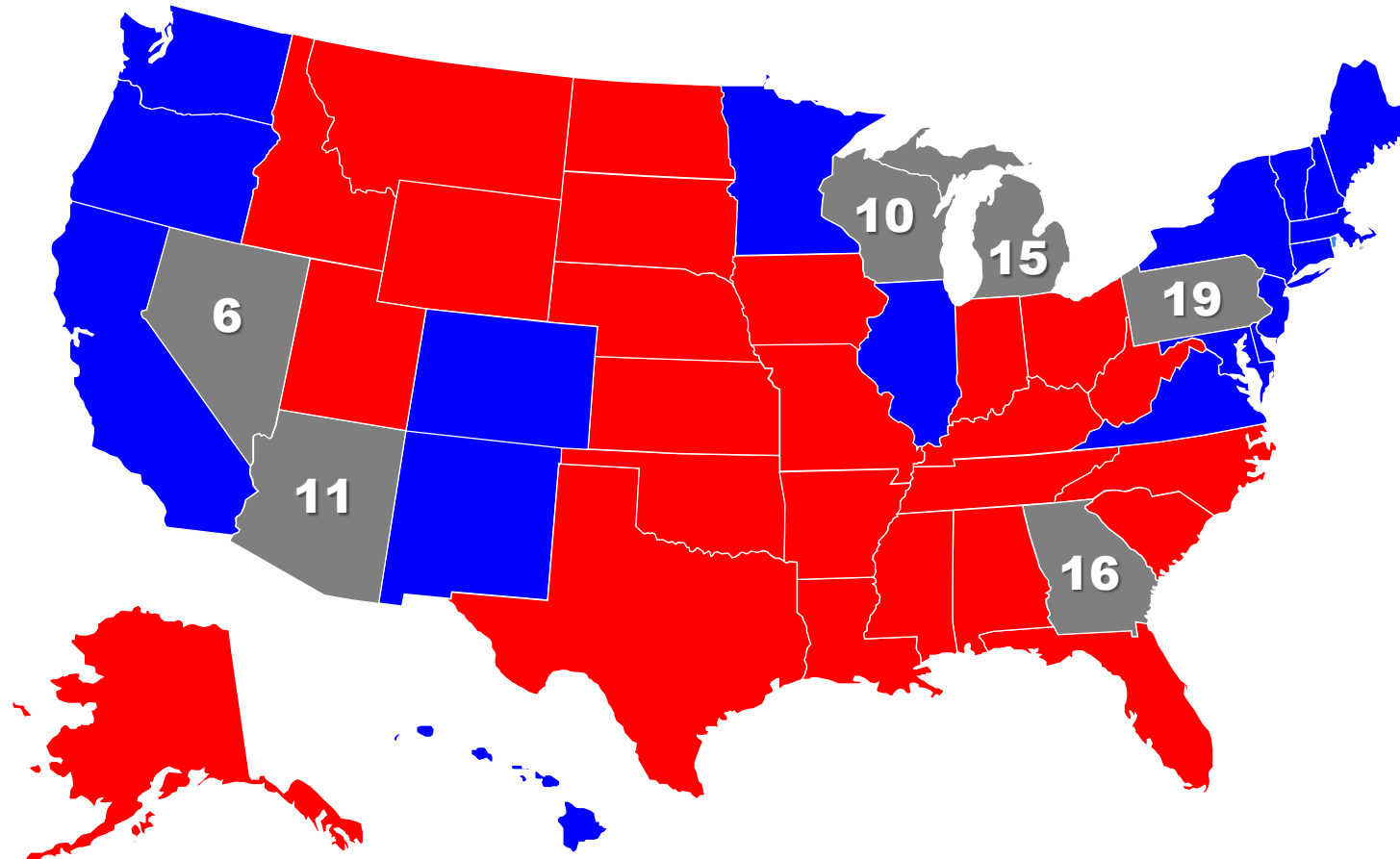
Solid / Likely Biden: 226 EVs

Contested: 77

Solid / Likely / Lean* Trump: 235 EVs

Sun Belt (33 EVs)

NV		+5.2
GA		+5.3
AZ		+4.5



Great Lakes (44)

PA		+1.6
WI		+0.6
MI		+0.5

MALADIES: BOTH CAMPAIGNS BATTLE MAJOR WEAKNESSES

VOTERS



Base: **Divided**

Swing: **“Weak & Woke”**

CAMPAIGN



ISSUES



OUTSIDE FORCES



Base: **Divided**

Swing: **“Chaotic & Corrupt”**



Fundraising, early voting, state parties



“MEH” ELECTION: BRANDS ON THE RUN



Voters Question Both Candidates' Character & Capacity



How it started 2020	How it's going 2024		How it's going 2024	How it started 2020
52%	39%	Can manage the government effectively	49%	48%
49%	40%	Displays good judgement in a crisis	45%	44%
46%	38%	Is a strong & decisive leader	57%	56%
52%	46%	Is honest & trustworthy	35%	40%
55%	48%	Cares about the needs of people like you	42%	45%
66%	57%	Is likeable	37%	36%

MOMENTUM: MULTIPLE UPCOMING EVENTS COULD BE DECISIVE

Key To Winning May Be Setting & Beating (Low) Expectations



Will Trump avoid conviction?



Will RFK Jr. qualify for debate(s) & get on ballots?



Will Biden rally at debate, or have a "senior moment"?



Will Trump VP choice boost or bust?



Will DNC face disruptive protests at Convention?



Will economy stay hot & inflation cool down?



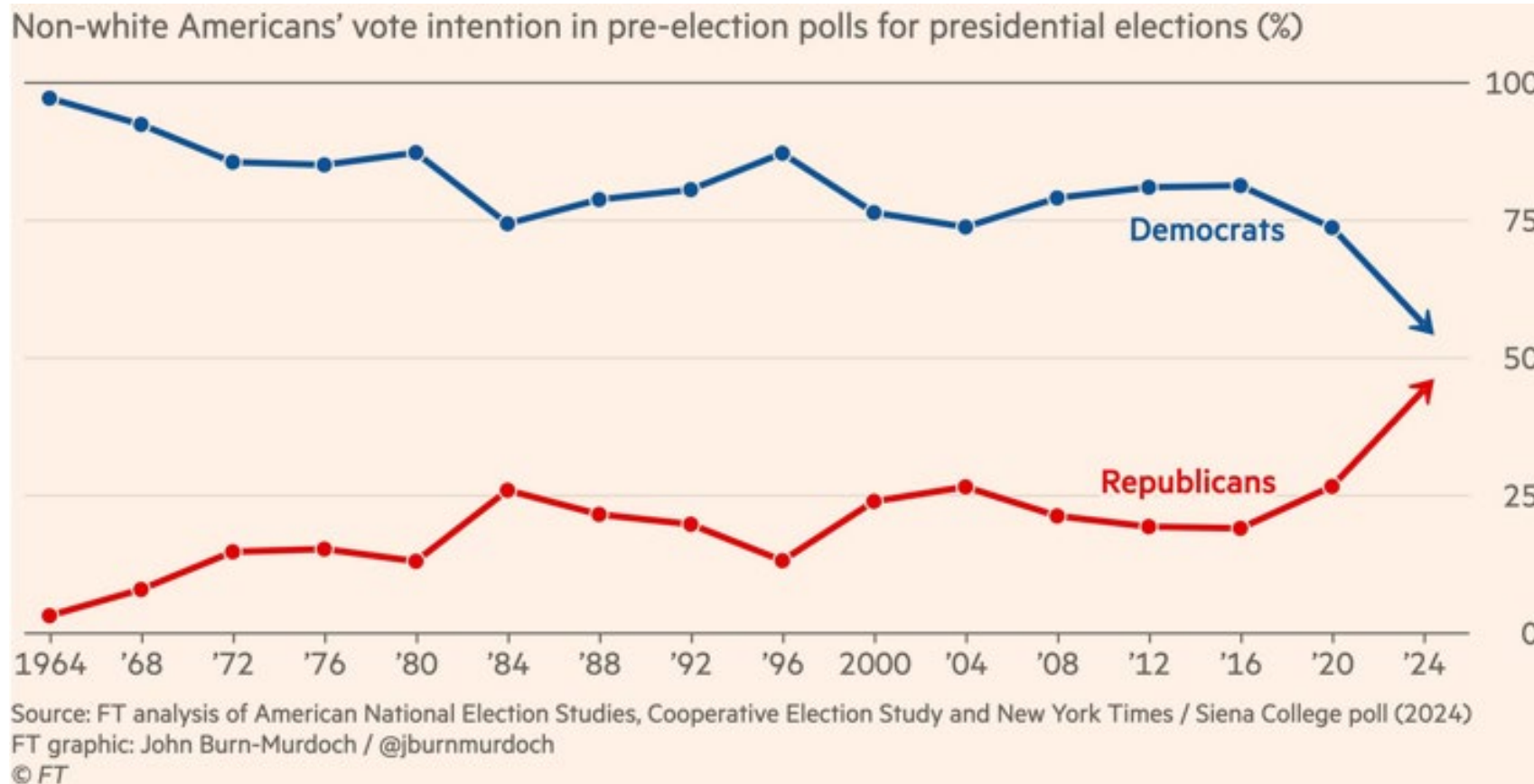
Will global conflicts cool down or metastasize?



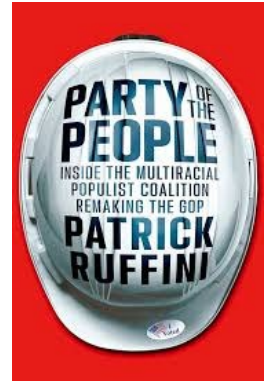
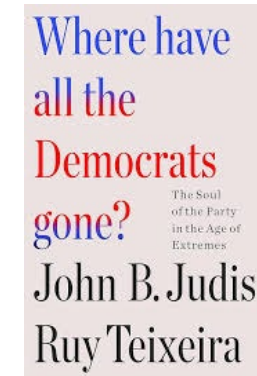
Will believable disinformation surprise in October?

AMERICA MAY BE AMIDST A POLITICAL REALIGNMENT

Non-White Voters May be Shifting Away from Democrats & Towards the GOP



For smart analysis of this trend, click here:



Democrats are hemorrhaging support with voters of color

The trend is real in polls, and in at least some election results.



NATE SILVER
MAR 15, 2024

SENATE: GOP WILL HAVE A MINIMUM OF 50 SENATORS

Dems Defending Tough States

Senate '24 Battleground States & the
2020 Presidential Election

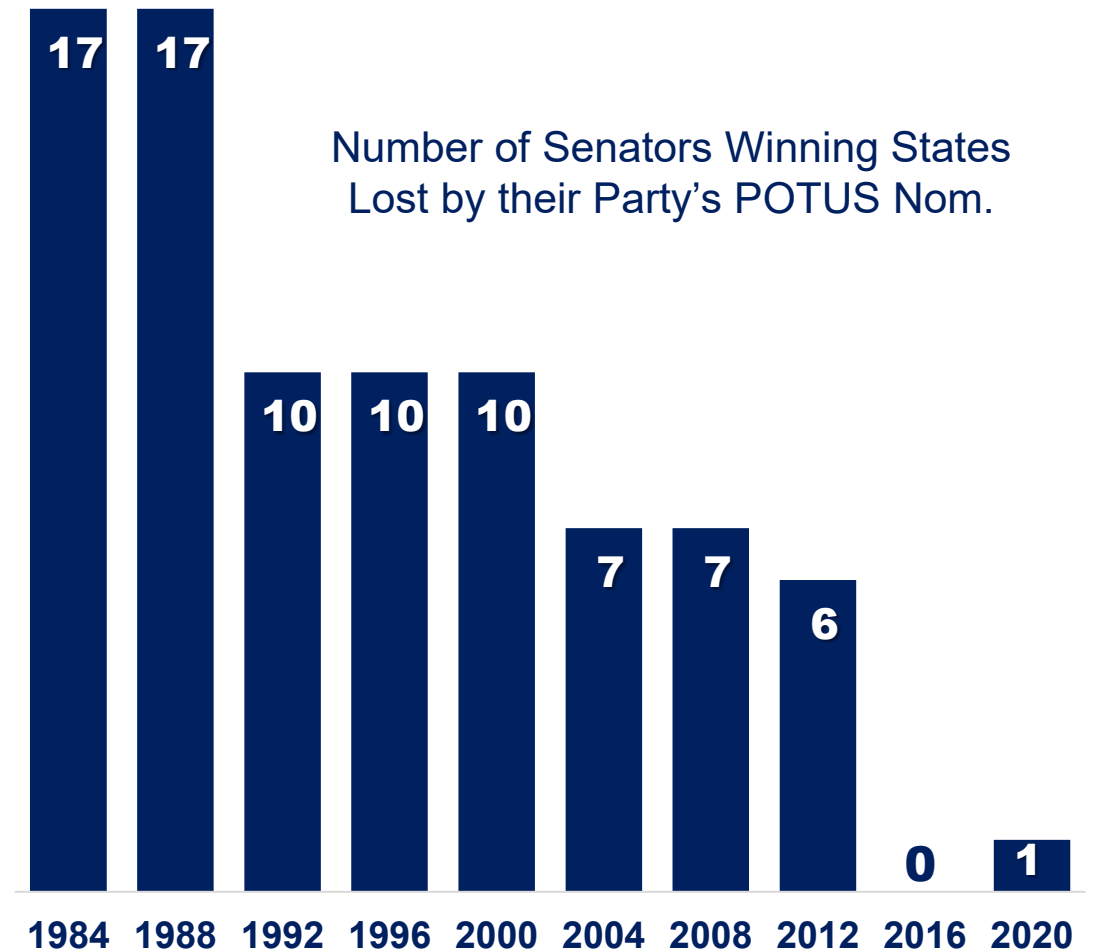
Democrats Defending Cook Rating

WV (Trump +39%)	----->	Solid R
MT (Trump +16%)	----->	Toss Up
OH (Trump +8%)	----->	Toss Up
AZ (Biden +0.3%)	----->	Toss Up
WI (Biden +0.6%)	----->	<i>Lean D</i>
PA (Biden +1.2%)	----->	<i>Lean D</i>
NV (Biden +2.4%)	----->	Toss Up
MI (Biden +2.8%)	----->	<i>Lean D</i>
MD (Biden +33%)	----->	<i>Likely D</i>

Republicans Defending

FL (Trump +3.4%)	----->	<i>Likely R</i>
TX (Trump +5.6%)	----->	<i>Likely R</i>

Ticket-Splitting Mostly Dead



HOUSE: TOO CLOSE TO CALL

The Path to 218...



DEM

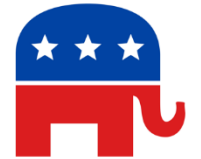
212



Current

GOP

217



Why Dems Optimistic:

- 7 GOP-held toss-ups in CA and/or NY
- 16 R's running in Biden 2020 districts
- DCCC out-fundraising NRCC

203

“Solid/Likely/Lean”
(Cook Political Report)

210

11

Toss-ups
(Cook)

11

206

“Solid/Likely/Lean”
(UVA /Sabato)

211

9

Toss-ups
(UVA)

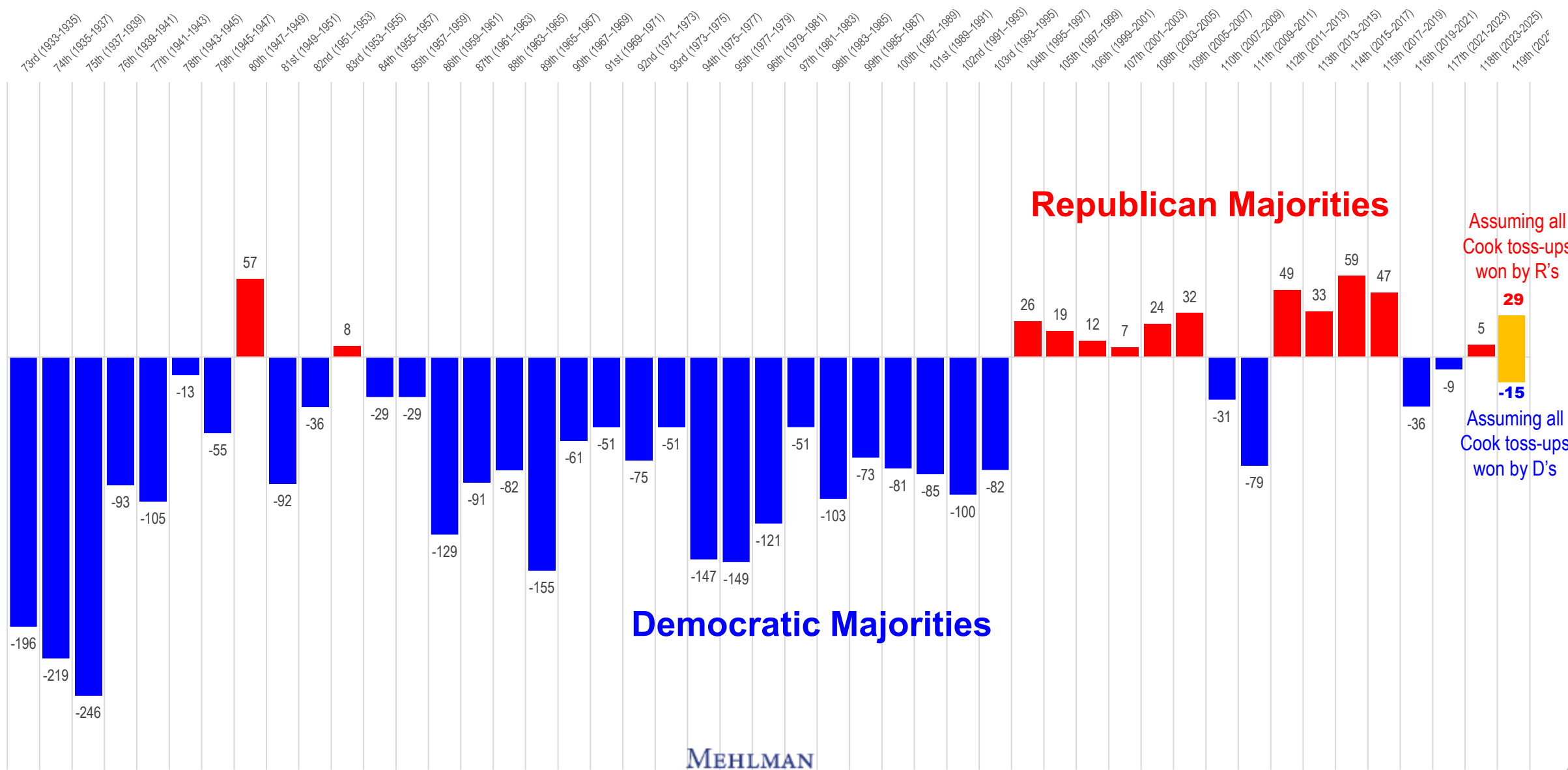
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Why GOP Optimistic:

- GOP leads in Party ID for 1st time in decades (POS)
- Consistent Trump > Biden polling lead with less split-ticket voting
- Dems defending all 4 open seats in competitive districts

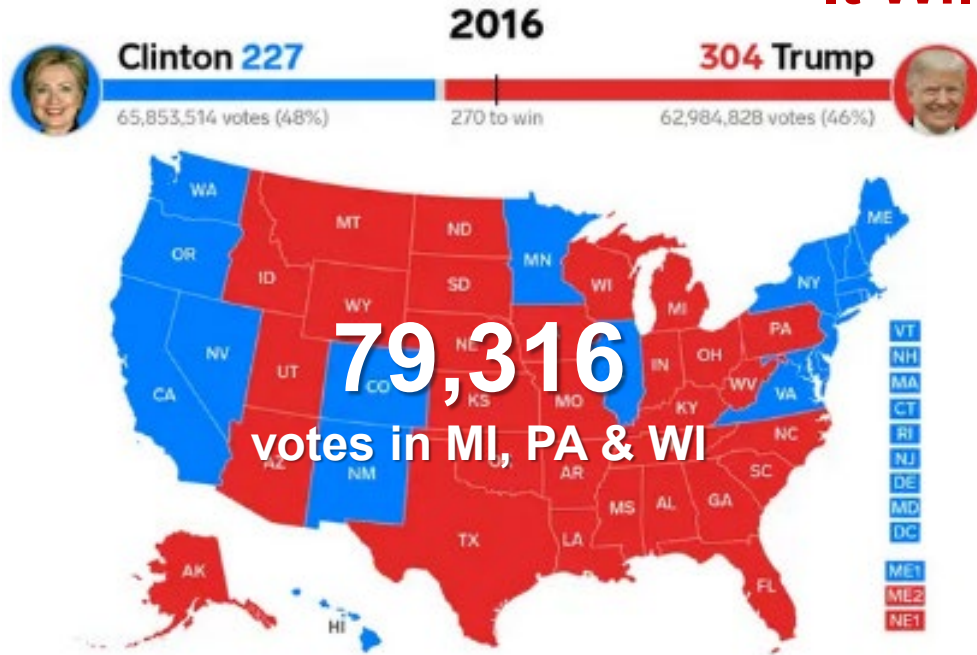
EXPECT ANOTHER VERY NARROW MARGIN IN THE 119th CONGRESS

Party Control Margins in the U.S. House, 1933-2024

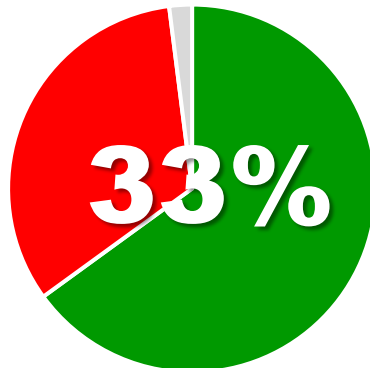


WHAT WE CAN BE SURE OF

It Will Be Very Close...

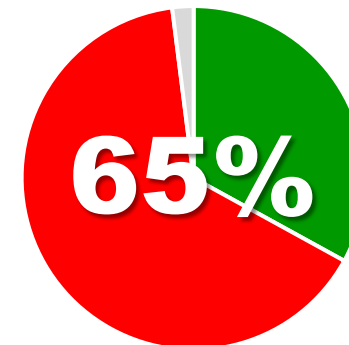


Half the Nation may reject result



Clinton
voters said
Trump not
legitimate
([ABC/WaPo](#) 11/11/16)

Trump
voters said
Biden not
legitimate
([AP/NORC](#) 2/1/21)



MOST-LITIGATED ELECTION IN U.S. HISTORY?

Lawyered Up & Ready to Go

1. **Criminal investigations** of both major party nominees, prosecutions of former President / current candidate and sitting President's son.
2. Decision regarding the scope of **Presidential immunity**.
3. Lawsuits to **block active third-party candidates** from gaining ballot access or force those who dropped out to remain on.
4. Lawsuits to **expand or block ease of voting** (e.g. by mail, more drop-boxes, early voting).
5. Lawsuits challenging efforts to ostensibly increase confidence in **ballot integrity** (e.g. voter ID, require counting by hand).
6. **Content moderation lawsuits** to address AI deepfakes, foreign interference, defamation & alleged platform bias.
7. **Election day lawsuits** (e.g. which provisional ballots count; polling places seeking extended hours; acceptable voter assistance; distance of protestors; legality of voters; responses to violence or threats of violence at polling locations).
8. Legality of **Recounts** if/when the vote is very close.
9. Lawsuits over competing **slates of electors** / state certification disputes or stalemates.
10. Lawsuits addressing Congressional authorities & obligations under the **Electoral Count Reform Act** of 2022.



CONGRESS IN THE REST OF 2024 & THE LAME DUCK

CONGRESS: MUST ADDRESS



NDAAs



FY25
Appropriations



Farm
Bill



Health
Extenders



Leadership
Elections

CONGRESS: POSSIBLE



Disaster
Relief



Privacy
(ARPA)



BioSecure
Act



Transmission
Reform



Broadband
(ACP)



End *De Minimis*
tariff exemption



Tax Relief
(CTC, R&D +)



Credit Card
Competition Act



Crypto
(Stablecoins)



GSP
renewal



Outbound
Investment
limits



AI bills



Telemed



RECA

ADMIN AGENDA

Implement 2021-22 Laws



\$1.2T



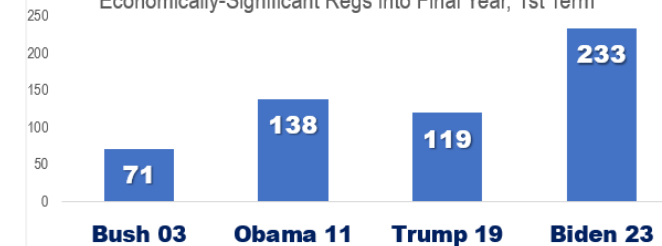
\$280B



\$1.22T

Accelerate Regulation

Economically-Significant Regs into Final Year, 1st Term



Increase Enforcement



Consumer Financial
Protection Bureau

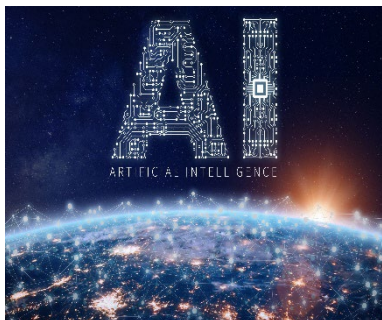


WHAT COMES NEXT

Biden 2.0 vs Trump 2.0

2025-26 WILL BE FAST & FURIOUS

A Huge Agenda Awaits the Next Congress



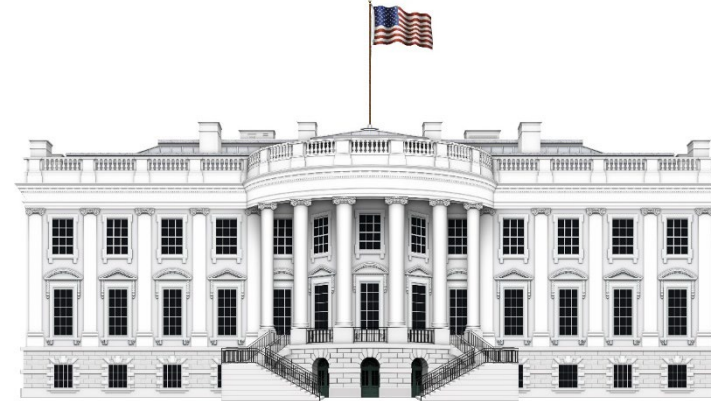
BIDEN 2.0: WHAT YOU'VE SEEN IS WHAT YOU'LL GET

Policies

- Prioritize-DEI
- Pro-Big Labor
- Pro-Sustainability (regs & \$\$)
- Domestic Mfrg (eg CHIPS, BABA)
- China “derisking”
- Allies-based foreign policy
- Aggressive Antitrust
- Tax hikes to trim deficit
- AI = EO implementation



People

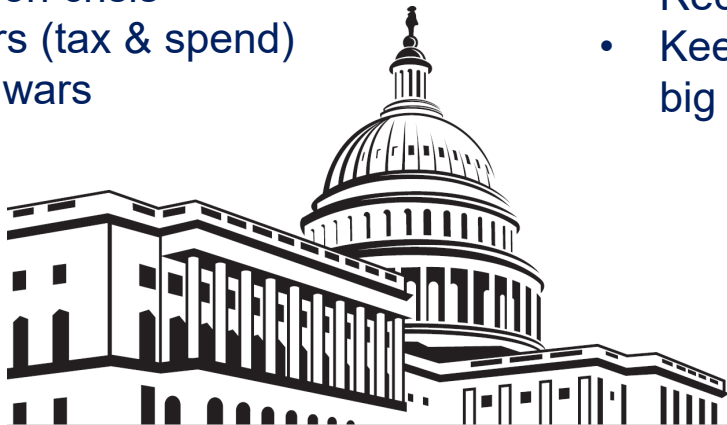


Cabinet Turnover 1 st Term	
Biden	2
Trump	14
Obama	3
W	2
Clinton	4
HW Bush	8
Reagan	6

Politics

GOP Senate

- Confirmation crisis
- Deficit wars (tax & spend)
- Oversight wars



Dem Sweep

- Reconciliation x2
- Keep Filibuster or big reforms

Party Leadership



TRUMP 2.0: A LOT DEPENDS ON THE HILL



EXECUTIVE ACTIONS

Exec. Operations

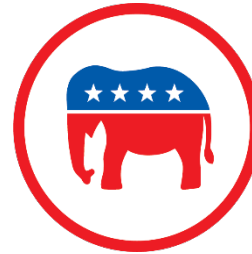
(Appointees, judges)

Domestic Pol.

(e.g. regulation, EO's, enforcement)

Foreign Policy

(e.g. trade, treaties)



GOP SWEEP

Filibuster Finale?

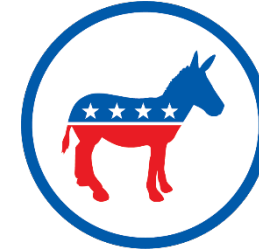
(Collins, Murkowski, McConnell, Hogan likely oppose ending it)

CRAs & RECONCILIATION

(TCJA, IRA, ACA?)

Legislating?

(if post-filibuster = everything)



DEM HOUSE

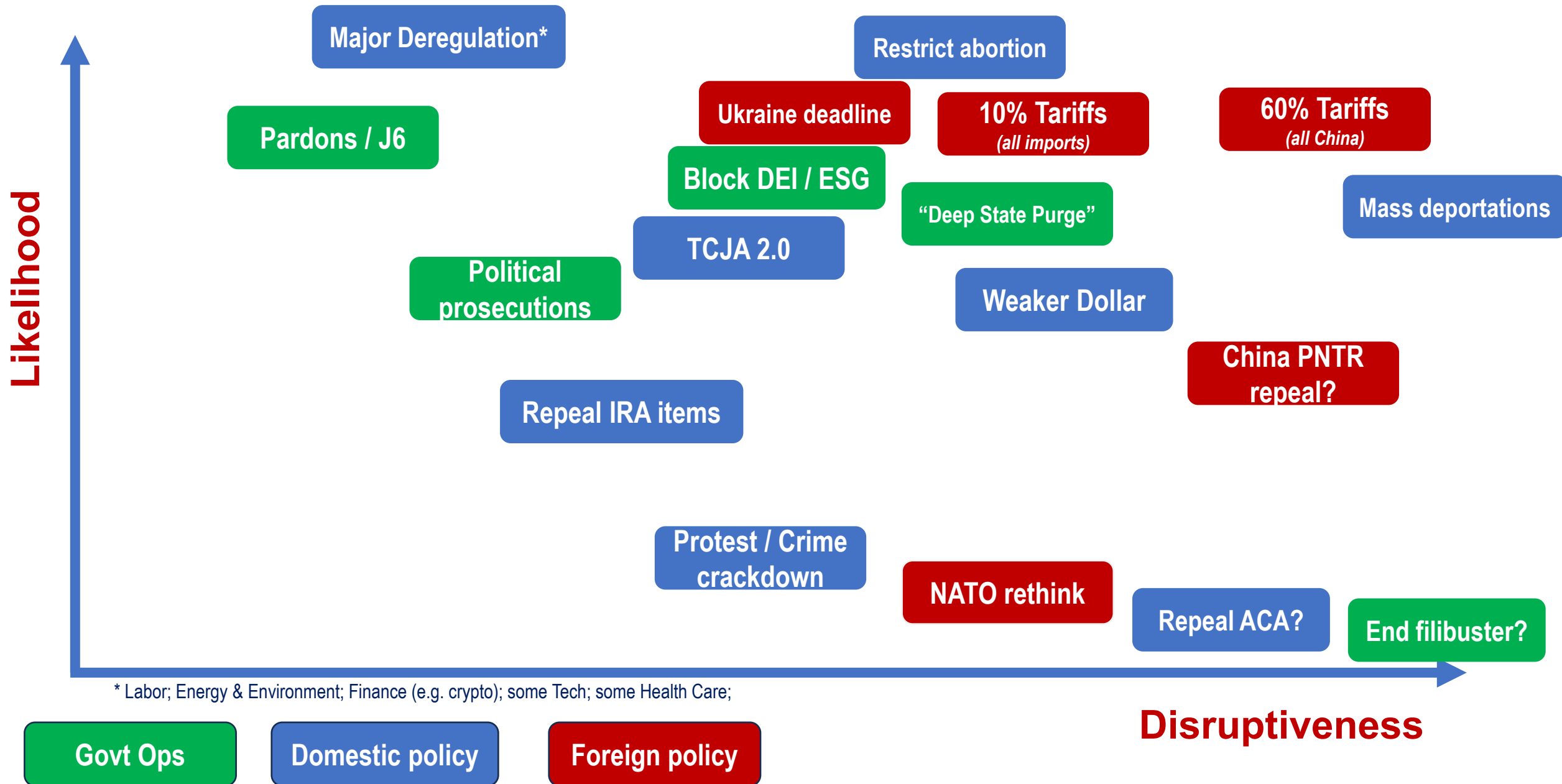
Impeachment(s)

Oversight Wars

Deal-making?

(Tax & spending, E&E, tech, border, health care, etc.)

HOW DISRUPTIVE WOULD TRUMP 2.0 REALLY BE?



CONTRASTING BIDEN 2.0 vs TRUMP 2.0

Some Similar Policies, Many Very Different Directions

MORE SIMILAR

UNCLEAR

MORE DIFFERENT



Defense

- Increase spending
- Minimize deployments



Trade

- Buy American
- Domestic subsidies



"Big Tech"

- Section 230
- Tech Antitrust



China

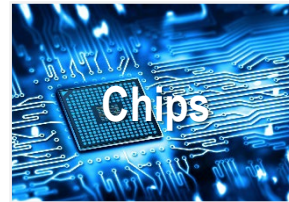
- Tariffs
- Export Controls
- Outbound limits



Israel



Chips



Crypto



MEHLMAN
CONSULTING



Immigration

- Border
- Deportation
- Amnesty



Health Care

- ACA subsidies
- Medicaid



Business Regulation

- NLRB
- CFPB
- SEC
- FTC
- IRS
- Antitrust



TAXES

- Corporate rate
- Top individual rate



Climate

- Renewables
- IRA credits
- EV's



Social Issues

- DEI
- Guns
- Voting laws



Education

- Loan forgiveness
- Universal preschool
- Affirmative action



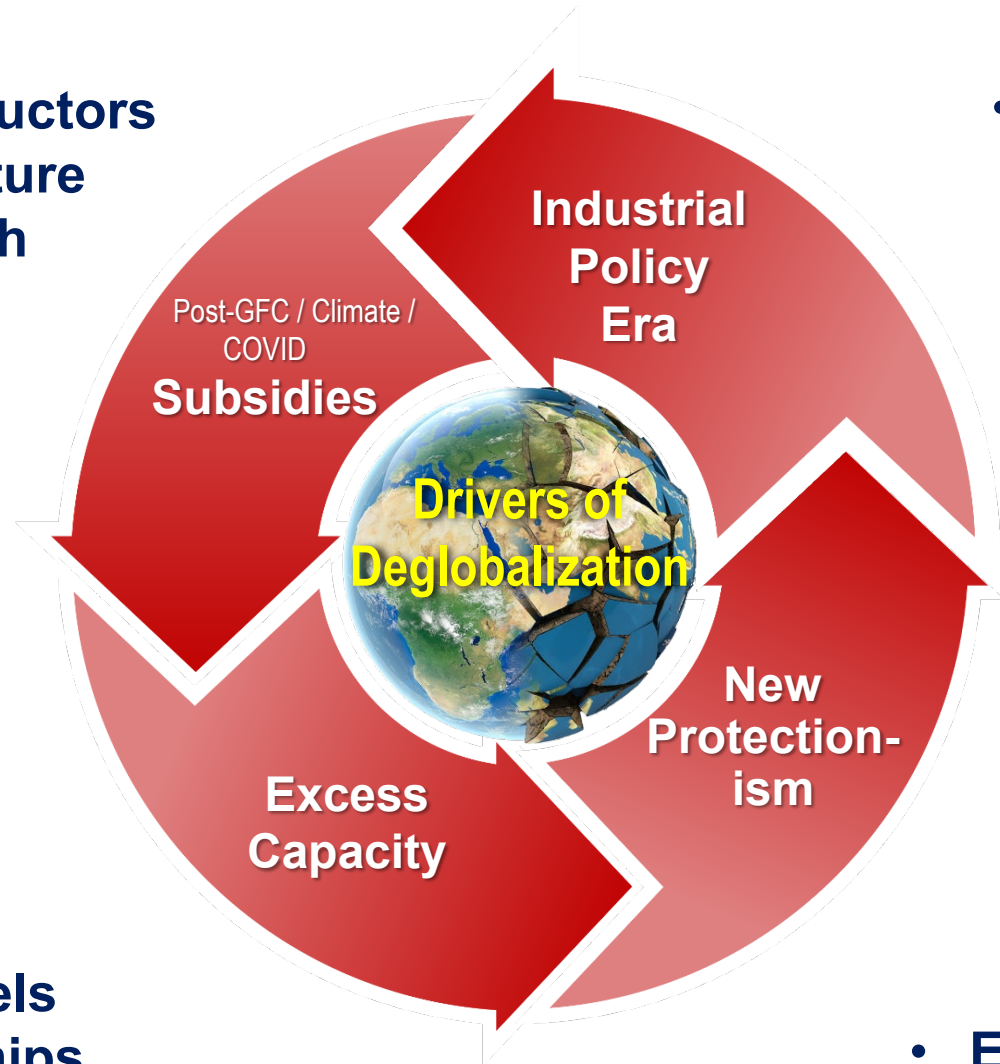
Ukraine

BOTH WILL PRIORITIZE REVIVING AMERICAN MANUFACTURING

Populist Economics + Rising Global Tensions = Industrial Policy Era

- **Semiconductors**
- **Infrastructure**
- **Green Tech**
- **Currency**

- **EV's**
- **Steel**
- **Batteries**
- **Solar Panels**
- **Legacy Chips**



- **Procurement**
- **Reshoring**
- **Trade**
- **Tax**

- **Bans**
- **Tariffs**
- **Buy Local**
- **Export Controls**

BOTH WILL CONTINUE CONFRONTING / CONTAINING / DE-RISKING CHINA

Most Bipartisan Proposition in Washington = Avoid China Shock 2.0

First “China Shock”

China attracts investment, tech & know-how via low costs, low regulations & big subsidies

Leverages learning, acquires tech & subsidizes local players to dominate low-end

Squeezes MNCs out of PRC market, subsidizes growth in developing markets to increase scale, quality & clusters

Subsidizes national champions to outcompete Western MNCs in world markets

IMPACT:

↓ U.S. jobs
↑ dependency
↑ vulnerability

Measures to Avoid “China Shock 2.0”

Block inbound investment



Deny access to leading tech



Prevent strategic FDI from West



Reduce market access (tariffs, bans)



IMPACT:

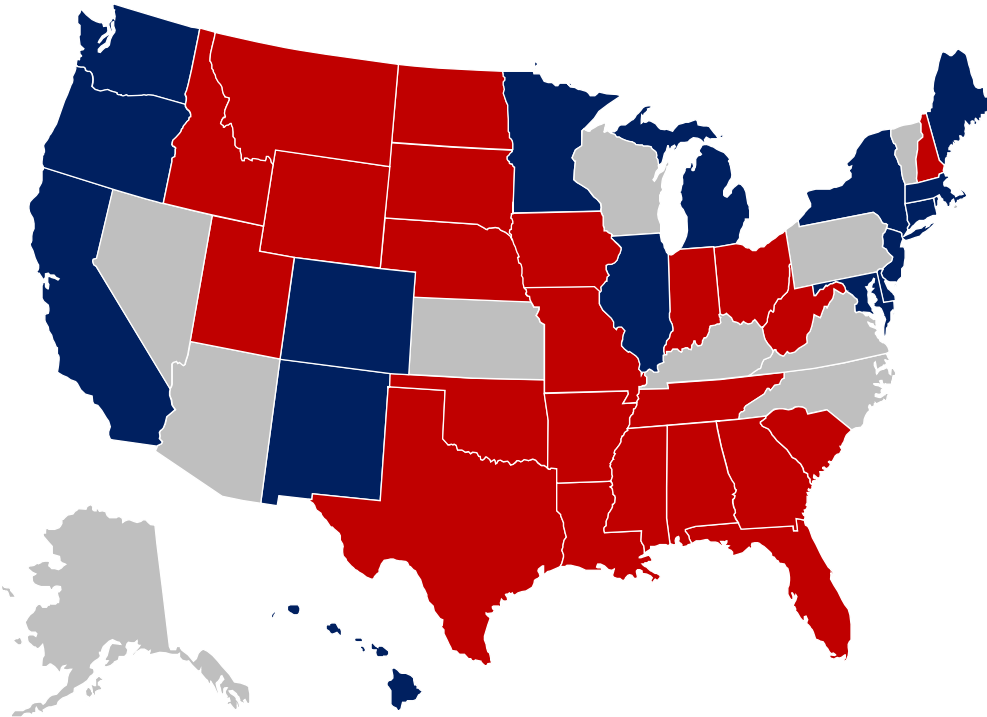


STATES WILL REMAIN DEEPLY DIVIDED ON POLITICS & POLICY

States With One-Party Control Push Policies in Contradictory Directions

40 State Govt Trifectas

(One Party Control, Most in 42 Years)



AI Regulation
Privacy
Censorship/Bias
Gig worker status



Taxes
Unionization
Minimum wage



Guns
LGBTQ
Elections
Education



Permitting
EVs & Gas cars
ESG investing



Abortion
Paid Sick Leave
Medicare Exchanges

Additional trifectas possible: **AZ**, **NC**, **PA**

Trifectas at risk in: **MI**, **MN**, **ME**, **NH**

PUBLIC OPINION WILL AGAIN SHIFT AGAINST THE PARTY IN POWER

Policy Victories → Public Opinion Losses (*foes unify, allies divide*)

Governing Actions

- Gulf Wars
- Tax Cuts
- Wall Street “bailouts”

- ‘09 Stimulus
- ACA
- Green agenda
- Immigration EO

- Immigration ban & rhetoric
- Protest responses (Charlottesville; Floyd)
- Gun policies

- DEI / ESG
- Inflationary COVID relief
- IRA / green agenda
- Border response

Opposition Reactions



OCCUPY



CEASEFIRE
NOW!

Trump 2.0

- Pressure on businesses to speak out on culture issues (*e.g. deportations, civil/voting rights, policing*)
- Divisions on the right (*post-Trump populism vs neo-Reaganism*)
- Energy on the left (*to block POTUS, win midterms, grow team*)




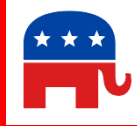
















Biden 2.0

- Pressure on businesses to stay out of culture fights (*e.g. ESG, DEI, guns, abortion*)
- Divisions on the left (*post-Biden centrism vs Progressives*)
- Energy on the right (*to block POTUS, win midterms, grow team*)

3 Recommendations for Leaders

BE BIPARTISAN & BICAMERAL

No Consistent Governing Alignment >2 Years Since 2014

	<u>2013-2014</u>	<u>2015-2016</u>	<u>2017-2018</u>	<u>2019-2020</u>	<u>2021-2022</u>	<u>2023-2024</u>
 WH						
 S						
H						

Average Duration of Control

	House	Senate
20 th Century	11.1 yrs	9.0 yrs
21 st Century	4.8 yrs	4.0 yrs

ENGAGE EARLY & OFTEN

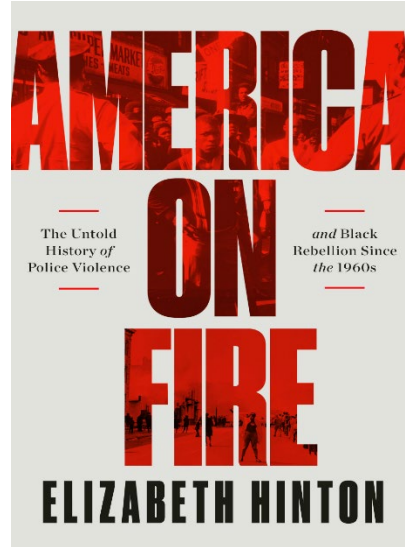
Reports of the Death of Bipartisanship are ~~Greatly~~ Somewhat Exaggerated

HOUSE VOTE	SELECTED LEGISLATION in 117 th & 118 th CONGRESSES	SENATE VOTE
221-201	INFRASTRUCTURE: II&JA	69-30
243-193	GUNS: BSCA	65-33
258-169	FREEDOM: Respect for Marriage Act	61-36
342-92	POSTAL REFORM: PSRA	79-19
243-187	CHINA: Chips & Science Act	64-33
314-117	BUDGET: Fiscal Responsibility Act	63-36
>310	AID FOR ALLIES: Supplemental \$\$\$	79-18

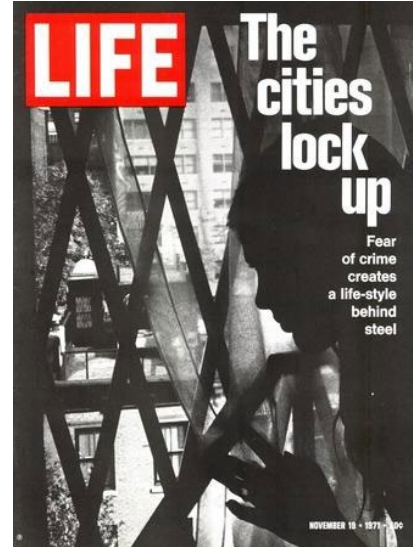
STUDY HISTORY: IT WAS A LOT WORSE IN THE 1970s



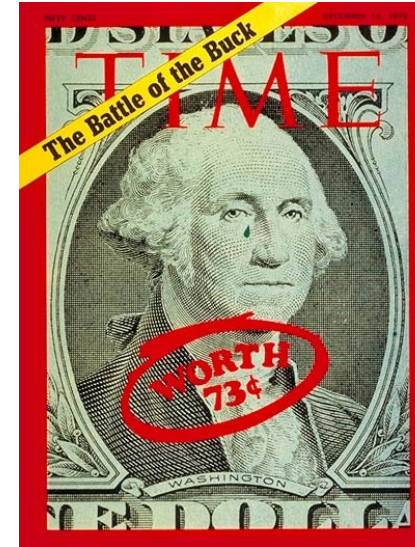
Nothing divides America today as much today as the Vietnam War did in 1968-1974



Some protests after George Floyd's murder got violent... After the murders of MLK Jr. & RFK Sr. widespread riots rocked multiple U.S. cities for weeks



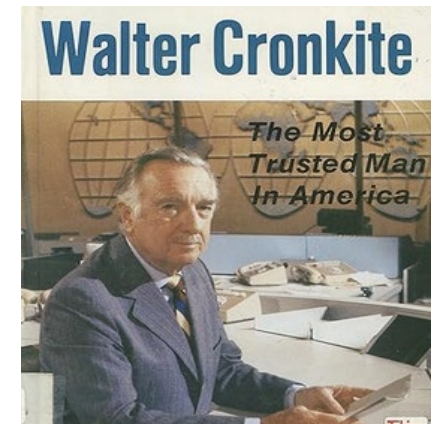
At its pandemic high (2020) the violent crime rate in the U.S. was still below the rate in every year between 1972-2010 ([FBI](#) data)



Today's consumers pay 11% of wages for food & pay just over 7% for a 30yr fixed home mortgage... both below prices for the same things every year in the 1970s. ([USDA](#) & [FRED](#) data)

But, but, but...

We trusted the media to help us make sense of a scary world back then... today, not so much



Trust in Mass Media
(Great Deal / Fair amount)
1976: **72%**
2023: **32%**
([Gallup](#))

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