



Podcast Transcript

The Cloakroom with Peter Roskam: 2024 Democratic National Convention

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Rubenking: Welcome to The Cloakroom with Peter Roskam. Former Congressman Peter Roskam leads BakerHostetler's Federal Policy team.

On today's podcast, Peter turns from the latest legislative developments on Capitol Hill, to politics and the campaigns for the White House and Congress. Peter is joined by Jim Ellis, a 35-year veteran of federal politics and election forecasting. Jim is the founder of Ellis Insight, a nonpartisan firm that tracks campaigns and elections. On the podcast, Peter and Jim discuss the Democratic National Convention, Kamala Harris's remarkable four-week campaign for President, and where the races stand today for control of Congress. Let's listen in to The Cloakroom with Peter Roskam.

Roskam: We are in the midst of a 70-day, roughly, sprint to the Presidency, and both campaigns are well underway. The Democrats had a very successful convention in Chicago last week. Jim, what are your big takeaways, looking at the Convention coverage, how they frame things up, and how they've come out of the blocks in this race?

Ellis: Oh, well, hello, Peter. It is good to be back with you and everybody at BakerHostetler. Well, they framed it, I think, the way they wanted to. Clearly, they didn't want to talk about specifics. They didn't want to talk about their platform and their issues, but it was more of a feel-good type of convention, this hope and joy theme. And really what struck me was trying to bring back the whole Obama

era which they feel obviously was successful for them but, and not the Biden era, for sure. And so, amusingly, trying to blame all the woes of the country on Trump in the midst of trying to cast a new theme, if you will, on what the campaign is about. But you're right, we've got 70 days to go, and it is going to be a wild 70 days.

Roskam: We put out a newsletter, an e-mail newsletter at Baker, called Five Themes to Look Out For at the Democratic National Convention. It is on The Way We See It page on our website, and we called it right. We said first they're going to accelerate the momentum, number two, talk about reproductive rights, three, immigration, four, tax policy, and five, make it a referendum on Trump. And I think they effectively did all of those things. It was, to your point, it was a remarkable effort to go back to Obama years, with even a hat tip to the Clinton years. But the Biden years, it was, it reminded me of the movie Men in Black where the guys say, hey, look at me and they just poof. And they, things go down a memory hole. And so, I think the Harris-Walz team is attempting to navigate that wanting to be the beneficiaries of things that happened under the Biden term and yet not let this be a referendum on some of the challenges that they face. What do you think of the pick of Tim Walz, and how is he doing so far on the campaign trail, and compare him a little bit to JD Vance?

Ellis: Well, I think first of all, I think, let's talk first about the reason he was picked. It obviously wasn't to help win the campaign because that is a state they were going to win anyway. The, his home state of Minnesota. I mean, Minnesota is the most loyal state to the Democrats in the Presidential race of any of them. In fact, the last time Minnesota voted for a Republican was 1972. And every state has voted Republican for President at least one time since then. So, the idea that he was there to help shore up Minnesota, I think isn't much of a point. But I think, Peter, you would know better than me, but I would think these candidates for President think about three things when they choose a VP. It is somebody that may help them win the election, somebody that would help them govern, and someone they're personally comfortable with. And I think the latter one is where Harris went, emphasized that more. I think she is personally comfortable with him.

In terms of how he's done, he is, this is a radical left ticket. Both of these two are on the far left of the of the Democratic spectrum. Particularly Walz as governor and, Peter, I think you served with him, I believe when he was in the House, and he was actually in about the middle of the pack of the Democratic Conference. So, but he did represent a Republican district. So, that is maybe why he was doing that, and these are his true colors. So, but it is a far left ticket, and I think that they caught him in some duplication, if you will, or duplicity with his military record. So, I'm not sure he's been a home run for them, and I'm not 100% sure that he brings a great deal to the ticket, and I'm not sure Vance does either. And at the end of the day, I think people are going to decide this is just a race between Trump and Harris, and that is how they're going to make their decisions. So, I'm not sure either of them matter a great deal.

Roskam: I have a prediction, Jim, and that is at the end of this campaign, there is going to be articles and analysis that look at both of the VP picks because one of these candidates is obviously going to lose and the reflection is going to be the pick was bad. I think the JD Vance pick, like we talked about last time, it was a pick that went right to the base and it was a pick that assumed Trump was going to win the election. Glenn Younkin and Nikki Haley, somebody else would have been a, I think, a more secure general election pick, and I think the same thing about Tim Walz, in that they're going to have to litigate the BLM response, they're going to have, I mean publicly litigate it. They're going to have to litigate a pretty far left agenda. And if it comes down to Pennsylvania, for example, I, the idea of passing on Josh Shapiro, the popular Governor of Pennsylvania, will have been a strategic misstep. So, we're not going to know that until after the election.

But let's talk a little bit just about the horse race, 70 days roughly from now, the election is going to happen. You look back, 70 days ago was the middle of June and all the things that have happened since the middle of June. The debate in Atlanta between Biden and Trump, members of Congress calling on Biden to step down, the assassination on Trump, the assassination attempt on Trump, Trump choosing Vance, Biden dropping out, Harris announces Walz, Harris accepts her nomination, and so forth. This thing is moving fast, and it does strike me that politics, time in politics are like dog years. You know what I mean? It is like, lately. So, okay. So, 70 days, it feels like a long, like it is tomorrow. No, it is like 10 lifetimes in these news cycles. Where do you think both of these campaigns are going and how are they strategically approaching these battleground states, because everything else is a sideshow.

Ellis: Yes, absolutely, right. And yes, it's got everybody's head spinning. All the things that have happened in this last 70 days as you pointed out, and it is real possible that the deciding factors in the 2024 election haven't even happened yet. So, who knows what is going to happen in the next 70 days? And as you mentioned too, that is still a lot of time in this campaign. But you know what struck me, too? And it really struck me coming out of the Democratic Convention after listening to Harris's acceptance speech, is I'm just not sure how long they can continue to promote the talking points that they have without people finally saying, well, how are they going to do all that? How are they going to increase spending, as she mentioned at one point, not in the speech but earlier in that week, another \$1.3 trillion of spending, which is going to drive inflation up again. This \$25,000 for first home, first-time home buyers. Well, where is that going to come from? From a government that is \$35 trillion in debt? And then the tax question is really what I think is amazing and how they're going to handle that.

And she is saying in the speech that Trump is going to raise taxes on the middle class and that they're going to give a middle class tax cut when we have the tax again coming up here in 2025, which we talked about at the seminar. And you had Congressman Brendan Boyle even, the ranking Democrat on the Budget Committee, even expressing concerns about that. And I'm still struck by the fact that he said there is 70 tax measures there that will go up if Congress doesn't act. So, that is the biggest tax increase in history. And then she is talking about another corporate income increase and then maybe an unrealized gains tax on

investments. How are they going to do all that? How do they reconcile all of that? And there is the Trump challenge to make them reconcile all of that, because they can't.

Roskam: Yeah, I, it just strikes me that Trump, they really have Trump off his game right now, where he is making arguments that are not persuasive to the folks that are going to make the decision in these battleground states. He is saying that he is better looking than Kamala Harris. He is attacking her race, he is attacking Governor Kemp, although that seems like that's been reconciled. It is one thing or another. Just all these missed opportunities. I think the vulnerability on the Harris-Walz side is when do vibes turn into fumes? You know what I mean? When does it, and I had an experience of running against an opponent for office who had an incredibly compelling personal story. And when you hear the personal story once, it is compelling and you hear it again, it is interesting. You hear it a third time or a fourth time and then over a period of time, time is not the friend of that candidate because the shine wears off of the narrative of personality and biography, and then the question becomes what do you want to do about my taxes or why are you for this, that, or the other policies.

Now that said, I do think that the Harris-Walz team did a good job coming out of the Democratic Convention in Chicago. It was less disruptive than I would have anticipated, which I think is a huge benefit. Harris comes out as the clear leader. There is just no doubt about it, and they did a successful separation of Joe Biden and basically pushed him out of the picture, which I think is very important, and they laid out this theme of we're not going back. We're not looking back and so. Now, all these vulnerabilities of her prior positions against fracking, her sympathies for defund the police, the abolition and the filibuster for the Green New Deal, pushing for mandatory gun buybacks, and elimination of private insurance, these things are real vulnerabilities. But the question is, does Donald Trump and the Trump campaign have the discipline to make this case from a policy point of view, or is he so disrupted right now that he is not the center of attention, that he really doesn't know how to respond? And I think the jury is out on that. What do think?

Ellis: Oh, I agree with you totally, the jury is out. But my point is they would, they have to do that. Trump has to do what you just described, or he is going to lose. It is really that simple, I think. And if they don't get back on message and if he is not more disciplined than she, and let's be honest, it is way tougher for him or any Republican to win a national race with everything they have against them. Then you've got a sympathetic corporate elite media, if you will, backing Harris all the way, allowing her not to really ever have to stand before anybody and answer difficult questions. That is tough to overcome. And so, the Trump campaign is going to have to be even more disciplined than a typical candidate. I don't know if they can do it, but the bottom line is if he is going to win, he is going to have to do it.

Roskam: It was as if the Harris-Walz team was doing a nostalgic look-back like we talked about a minute ago to the Obama years, essentially, which and then projecting that forward, saying did you like that then? Because that is what I, Kamala Harris,

proposed to do in the future. And framing it up as if Trump is the incumbent and she is the challenger. I thought it was very clever in how they laid that out.

Ellis: Right.

Roskam: And, to Harris's credit, they have changed the map, because remember, a month ago there was talk of Minnesota and Virginia, New Jersey and Mexico being in the mix, and now we really have just settled back into these six battleground states, haven't we? Georgia, Pennsylvania, Michigan, Nevada, Arizona, and Wisconsin. That is where the action is, right?

Ellis: Mostly. I agree with that to an extent, but I think there is some other interesting data out there that would indicate that there might be another state or two that are in play. And the, here is what struck me. I was struck by the Florida voter registration numbers. And then I decided to look at the other battleground states to see how they have performed. Now in Florida, back in 2018, I was looking at this because of Senator Rick Scott. So, when Senator Rick Scott was elected in 2018 and as you know, the Senate terms are so long. It's been, it's, that's a long time ago, but that was the last time he was on the ballot, and he only won by 10,000 votes in that election out of over 5 million votes cast. Now, the, what was interesting there is at that time the Democrats had a small advantage in voter registration.

So, Florida is a partisan registration state. Today, the Republicans have a 1 million person advantage on voter registration. That is how much Florida has changed in six years. So, I said how have the other states changed? So, I looked at all those states you just mentioned on their latest voter registration and compared it to where they were in 2020 and there is very interesting numbers out there. And there are, in every state, by the way, in all those battleground states that you mentioned, the Republicans actually are in better shape from a net registration standpoint. So, there are more Republicans than Democrats than there were in, not than Democrats, but more Republicans than they had in 2020. This is going to be significant, I think, in all of those States, and a lot of that is due to some of the states purge the names, they get rid of people that they know have died, that don't live there anymore. Some states have laws where if you haven't voted in a number of consecutive elections, you come off the ballot. So, that's already happened. And what's really happened is not so much the Republicans have increased, but the Democrats have decreased in every one of those states in terms of registration.

So, again, comparing these battleground states with the states that register by party, there are three states, three states that were close in the last election, Arizona, Nevada, and New Hampshire, where the change in voter registration, the net gain for Republicans, is now greater than the number of votes that Trump lost those states. So, that, I think, sends a different picture. So, in New Hampshire, for example, there are now more registered Republicans in New Hampshire than Democrats. That wasn't the case in 2020. So, a state like that, you have to look at, oh, this state might be a wild card out there. They and New Mexico, now New Mexico, Republicans have gained, but not that much. But

those two states are small and particularly New Mexico is cheap. Cheap because they've only got two media markets, Albuquerque and El Paso, and of course, in New Hampshire, you've got the Boston media market, which is obviously very expensive, but it is not a, it is an easy state, ground-wise. So, I think the Trump campaign will make a play to try to expand that map back and that puts the pressure on Harris. And if they, I think the three most important states are not those Great Lakes states now.

I think the three most important ones are Georgia, Arizona, and Nevada, because if Trump can win all of those, and he must, then, and up until Harris, he was ahead in every poll since January in all three of those states, and he is in some, I can show you a post today where he is ahead in all three and I can show you some where she is either tied or a point or two ahead, too. But those states are critical because he needs to convert 35 electoral votes and keep all 25 states that he had voted for him twice in line, North Carolina being the weakest of those. So, he does that, and then he wins Georgia, Nevada, and Arizona. That gives him 33 of the 35 votes he needs and all of a sudden, the pressure goes to Harris because then you look at those Great Lakes states, you look at some of the ancillary states out there, and even in Virginia here a week-and-a-half ago there was a poll that only showed a three-point race there with Trump and Harris. So, you look at those States and say, oh, what is happening, and how, and then Harris will then be forced to run the table. So, if Trump again takes Georgia, Arizona, and Nevada, then he needs only one more, anywhere, any other state going for him wins the election for him. And let's keep in mind too, and I can show you polls today that have Trump ahead in Georgia and in Pennsylvania and those are the only two he would need because the combined electoral vote in Pennsylvania and Georgia is 35. That is the exact number he needs to win. So, this race is very much alive. And these states become important. But I think those registration figures are important too, because the Republicans actually have a better floor, if you will, in terms of the number of registered voters they have in all of those states in 2024 than they did in 2020. And I think that is going to prove to be significant.

Roskam: What is your view then, on North Carolina? You mentioned it a minute ago in the same way that that Trump will make a play for New Hampshire, what is the thinking about the vulnerability or the opportunity, depending on your perspective, in North Carolina for the Harris team?

Ellis: Right. Well, North Carolina is a state where either party can win. Republicans tend to win more than Democrats there, but either side can win any election. But the other thing that is interesting, if you go back and look at 2020 and even 2016, we saw the same pattern in North Carolina. Now, Trump's polls this year have been better than any year that he's been on the ballot in North Carolina, but that was against Biden. So, against Harris, it's tightened up to a degree, but in most of the polling, particularly in 2020, he was behind almost every poll by a couple of points, but he won. He won the state both times by a small amount. And I've seen that pattern frequently in North Carolina and most of the south, that the Republicans tend to under poll by a couple of points. And the fact that he might, he is up or down by one point in North Carolina, right now, he is probably ahead

by a little bit more than that, and again, he has to win North Carolina. If he doesn't win North Carolina and Georgia, the election is over. So, obviously the Harris campaign is going to make a big move in both of those states, and this is where their financial advantage will probably be a factor. But yes, they'll absolutely make a move for North Carolina. I think they come up short again because he, his fundamentals seem better in that state than they were certainly in 2020. And again, he carried it then. But to those are two states, North Carolina and Georgia, who are neighbors, at least part of the state. They become extremely important in this election.

Roskam: What do you view, how do you view RFK stepping back and getting out of the race? What is the impact of that decision in these battleground states?

Ellis: Yeah, I think it is interesting because most of the post reporting of Kennedy dropping out of the race has been that it will help Trump and certainly the Trump campaign thinks it helps Trump. But one of the reasons he got out of that, Peter, was because the Democrats were suing in many of these states, Nevada and Pennsylvania in particular, to get him off of the ballot. And the reason they were using was his residency, claiming that he lists himself as a resident of New York and they claim he is really a resident of California. And so, therefore that bounces him from the ballot. I think that is an interesting argument in the Presidential race where you're running nationally, but anyway, that was the argument they were using. But the fact that they were attempting to get Kennedy removed from the ballot, again the party of open Democracy, but all they try to do is change the rules to get rid of people, the fact that they're trying to do that, so, that tells me the Democrats feel they are better off with Kennedy out of the race because I think they've always felt, particularly Biden, that Kennedy hurt them and him out of the race, I think they feel now probably helps them. So, it is an interesting dynamic and at the end of the day, I think by the time we hit the time people start voting, which in most states is the middle of October, Kennedy is probably going to be a distant memory.

Roskam: What is your view, last time we talked, Jim, you focused our attention on the House races in California and New York as being dispositive for who is going to win the majority. Harris-Walz on the top of the ticket, does that give a buoyancy to the Democrats in those races, coming after the Republican incumbents there?

Ellis: Yes, I certainly think it does, particularly in California where she is from. You've got four seats there that Republican members hold that the statistics suggest should vote Democrat. John Duarte in the Modesto area; David Valadao from Fresno; Mike Garcia, North Los Angeles County; and Michelle Steele in Orange County. So, they'll, all four of those seats, when you look at the, say, the 538 race where they give us a partisan lean on those races, all of them are five to seven to eight points in the Democrats' favor. Valadao's is 10. That is pretty tough, and they were able to do that, all of them won of course in 2022, but that was an off year. So, the turnout is going to be a little bit lower. Now you add, can they, so, the big question was can they hold those seats or how many can they hold in a Presidential year when the turnout model is different and more favorable to the Democrats particularly in that state? And now you add Harris on

top of that, leading the ticket from the state. I think it makes it much more difficult for them to hold and maybe largely more difficult for those three seats in the same situation in New York. And I think those seven seats combined could tell us how the House majority is going to unfold. But one way or another, I think we're going to see another single digit majority.

Roskam: It is absolutely amazing. Jim, your insights are always fascinating, and I thoroughly enjoy our conversations and always learn things when I talk to you. I'm grateful for your time today, and for all those who are listening, this is The Cloakroom with Peter Roskam. Thanks for listening and please subscribe. Bye-bye.

Rubenking: Thank you, Peter and Jim, if you have any questions for Peter, his full contact information is in the show notes. As always, thanks for listening to BakerHosts and The Cloakroom with Peter Roskin.

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