Podcast Transcript

The Cloakroom with Peter Roskam: 2024 Elections: What's Going to Happen?

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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 discusses the upcoming 2024 elections and the key races that will decide who wins the White House and which party controls the House and Senate and what all that will mean for legislating and policy development in 2025.

Peter is joined by his BakerHostetler colleague, former Democratic Congressman Heath Shuler, and Jim Ellis, a veteran of federal politics and election forecasting. Jim is the founder of Ellis Insight, a nonpartisan firm that tracks campaigns and elections. Let's listen in to The Cloakroom with Peter Roskam.

Roskam: Well, we're in the final stretch of the campaign for the White House, the U.S. Senate, and the U.S. House of Representatives, and the polls are open across the country. We're here with Jim Ellis, President of Ellis Insight, and my colleague, former Congressman Heath Shuler. Gentlemen, we've seen these

kind of races before in individual senses, close races up and down the spectrum. But this seems like really, really going to come down to the nose. Jim, how do you make sense of these numbers that you're seeing with these polls so close?

Ellis: Yeah, it certainly does look that way, Peter. And I guess the big question is, have the pollsters corrected for the Trump, what we would call, under poll from both 2016 and 2020? Because if we remember, he ran better than the polls suggested he would run. Now, if that is happening again, and there's three states in particular where that pattern was evident, and it was Pennsylvania, Wisconsin, and Arizona, excuse me, and Nevada. Pennsylvania, Wisconsin, and Nevada, where the under poll was severe. And if that pattern is in existence again, then Trump will win, but the question is, is it?

Now, some of the Democratic consultants say that it is not going to be like it was in the past because the pollsters have corrected for the under polls of particularly 2020. And therefore, that is already in these current polls and that explains why he is doing better in the polling than he ever has, not that he is gaining support. That is the Democratic consultants' spin, but I guess we're going to have to wait until Election Day to actually find out who is right about this.

Roskam: Heath, what do you make of how both of these campaigns are closing out their final pitch to the voters right now? How would you summarize each one of these?

Shuler: I think it's been different than in years past when you don't have both candidates agreeing to have debates which is usually, that is usually what, how you close it out. You kind of wait until that very last debate, and you see where both is. And I really believe it is smart on Trump's part to not to do another debate. I think it's paid favorably on his side. I think Harris, I think they're trying to find their way through this process now for the simple fact that they don't have a debate. And so, she is having to do a debate by herself at a town hall-type structure, and I think that is a little unorthodox. And I don't think that they had planned that Trump would not debate. I certainly think that was a smart move on Trump's part. But I think it's, I think with the Harris campaign, I think they're trying to close out in a very unorthodox way that they had not anticipated, and I think it is a struggle right now for them.

Roskam: Yeah. It seems like when Kamala Harris was asked on The View if she would change anything from her, the affiliation with Joe Biden, etc., and she said, well, nothing comes to mind. That struck me as a strategic mistake. It was an opportunity, I think, for her to push away from some of the things in the Biden administration that haven't gone well for, particularly on the economy and some of these global themes and immigration.

And it was an opportunity for her to push away and it gave Trump and the Trump campaign a chance, essentially, to say, see? What'd we tell you? And this is a referendum then. I mean, both sides desperately want this to be a referendum on the other campaign. But this is now a chance to say hey, this is a, do you want a Biden second term? Because that is what you're going to get with Kamala Harris. And I think when they go back and review the tape, if Trump wins, that will be a

pivotal point in in the campaign. What do you think? What do you think about that?

Shuler: No, I agree. I mean, I agree it is a pivotal campaign. During this campaign she had a perfect opportunity. I don't know if just because it was The View, and the viewership is more a Democrat liberal viewership, and she felt comfortable that she could just say that during that particular show. But I think she should have been very mindful of separating herself from him. I think that would have been a smart move from the very beginning and say, hey, look, I was vice president. I pushed for some of these things, but I didn't win. And I would assume that Joe Biden would accept that and not feel like it was a slap in his administration. But people do disagree, and it is okay to do that. And I think that is, Peter, you bring up one of the best points of all. She should have separated herself very, very quickly with Joe Biden because we knew how dismal his ratings have been, certainly in the last couple of years.

Roskam: And in a way, he gave her permission when he said, she is going to cut her own path. I cut my own path from President Obama. She is going to cut her own path. And that is sort of the opportunity then to say, okay, here is what my path is going to look like.

Let's shift gears a little bit. Jim, there's three Senate candidates that are in super competitive races, who, in their closing ads, are affiliating themselves positively with Donald Trump. That is Bob Casey in Pennsylvania, Tammy Baldwin in Wisconsin, and Sherrod Brown in Ohio. What, is that unorthodox? Is that par for the course? What do you think?

Ellis: I think it speaks volumes. It is really surprising that they would do that because all of them voted twice to impeach Trump. And now, all of a sudden, at the very end, they're changing course. Well, what's that tell you? It tells you that their internal data is not good. It verifies the public polls that shows these races are becoming pure toss-ups, with the other side, the Republicans in this case, in Pennsylvania, Wisconsin, and Ohio having the momentum. It seems to me to be a Hail Mary pass from all of them, and if I'm at the National Republican Senatorial Committee, I would have been very pleased to see those ads coming out. It shows that the Republicans actually are on the right track, and we could have some upsets there.

I never really thought that the Wisconsin or Pennsylvania races would flip to the Republicans here, but boy, it is looking more and more like that is a possibility. And I think the Ohio track is really pretty good for the Republican, Bernie Moreno. And I think those, the fact that they are changing their ads now to say something positive or to attempt, in some little tangential way, to align themselves at least with some of Trump's policies is really a good sign for the Republicans.

Roskam: I know we're all products of our own environment, but I don't know. Heath. maybe in the fall you think of football and politics. When I, this time of year, I don't know, there is something about it that evokes memory of campaigns. And I'm thinking back to my first reelect in '08 in suburban Chicago when Barack

Obama was on the ballot. And we created Obama Voters for Roskam, and it was very effective. We knew who we were going after, because I quickly realized if everybody who votes for Barack Obama votes for my opponent, I'm going to lose. And we needed a strategy to reach in there and came out on top.

I think the same thing is happening at a national level where there's these cross currents that we haven't seen before. So, for example, Liz Cheney campaigning for Kamala Harris. Our former colleague, Fred Upton from Michigan, former Republican Congressman, has endorsed Kamala Harris. And similarly, Trump making inroads into African American men in particular and the Hispanic vote. Just fascinating to see how all this manifests itself. What do you make of that, Jim, in terms of these unusual cross currents?

Ellis: I think it is greater than we've seen in the past, and I don't know, you see some of these people that have come out against Trump, and it is particularly those that used to work for him. And I think his response to that is pretty good. I fired all those people because they didn't do a good job, and they're part of the D.C. swamp. So, I think he was pretty, and I noticed they don't run that ad anymore. So, I think that that really was a pretty good response from Trump.

The thing that struck me though is, and maybe Heath has some comments about this, I'm surprised at the number of African American icons or leaders or pop figures in the Black community that have come forward for Trump. I mean, you've seen a number of these rap artists that come out for him. In Detroit here, a couple of weeks ago, we brought up the former heavyweight champion, Tommy Hearns. I mean, I think that sends a pretty good message to some of the African American men, which is the obvious target there. And it must be working, otherwise the Harris campaign wouldn't be sending President Obama into places like Philadelphia to try to get Black men to vote for her. So, I think that is, I think this is maybe a real beginning of maybe some changes in the electorate.

Roskam: What do you make of that, Heath?

Shuler: Yeah, I think it is kind of unusual. And Jim, you're spot on. And I think that the Harris campaign has made a horrible mistake trying to garnish that support, and I think that is probably one of the hardest constituency to get out to vote is the Black men is one of the hardest. I mean it is, history has proven itself that is one of the hardest to get out. When, in fact, I think the Harris campaign should have gone after what I call the Chamber of Commerce Republicans.

I think she would have had a much better chance of garnishing that support and moving in that role. Because I mean, here I live in Tennessee in the, what I call the, what used to be the rank-and-file Republicans are extremely unhappy with Trump. They think, they, you hear, that is embarrassing to the party. We got to take our party back. I mean, they continue to go through that, and they say our party's been hijacked, and yet they'll probably still vote. But I think she should have gone after an opportunity there. And we may look back in history if she would have been able to do that. You may start seeing a flip of how that

Chamber of Commerce Republican actually then moves over to more of a Democrat.

But instead, and this has always been frustrating for, to sit back and watch Democrats, when I was a member, is how they just pander to their base when I knew their base was already there. Right? I mean, their base is going to vote for them. And I never understood that, why they never went closer to the middle, and if any candidate in history of politics had an opportunity to go to the middle, it was Harris. And the reason being is she did not have to go through a primary and garnish the support from the far left and what I consider that radical left. She had the best opportunity of any candidate in history and guess what, she failed to do that.

Ellis: Yeah, that is a great point, if I can jump in too. And Heath, I think you hit it right on the money, and their responses really demonstrated weakness, as opposed to your approach, which would have demonstrated strength. Weakness, trying to have to go back and shore up your base at this point in time, is definitely showing weakness in a campaign. Whereas your approach would have shown strength, and I agree with you, I think she would have had some success in doing that.

But actually, Peter, if I could hop in, I'd like to ask Heath a question. He is like the perfect person to ask this question to. I travel around the country doing briefings, and I've been in nine states since September 30, and this question, Heath, comes up in every speech I give. And that is, how is the hurricane in Western North Carolina affecting the overall vote? And I know you, that is your old district that got hit the hardest and…

Shuler: Yes.

Ellis: …what can you tell us about that, in terms of the arrangements people are making to vote or just what is happening there?

Shuler: Yeah. I think there is a lot of misnomers there, and Republican Congressman Edwards had to come out and publicly denounce what, essentially, not what necessarily Trump was saying, but he was denouncing what Trump was saying about not having the support from the federal government and FEMA wasn't there.

And I've been there a couple different times now and I mean, you can't, early on, I mean, it was helicopters and military helicopters and National Guard. The help that was, had been received was unbelievable. And then just from everyone else. So, I think locally, that they're going to be on track to be able to cast those votes and do those things, and they're getting back where they need to be. It is going to be a long, long recovery. I mean, I can't, words can't describe the devastation and the death that actually happened during those, that hurricane.

But I think what it did is I think it is getting more people that were on the fence by a lot of the rhetoric that was there because Chuck Edwards, his outreach was to the people of west North Carolina and trying to defend that. But when you had

other people saying that they weren't getting the help and they weren't getting this. Well, that was for maybe for a couple of days because it was the magnitude and the widespread and the mountain terrain, then that certainly was the case. But as time had gone on, everyone had been seen and medicine and supplies have been taken to people that the roads were washed out because of the flooding.

But I think what it did is it had other people, because even right here in Tennessee, being so close, I can't believe what they're doing to those people in west North Carolina. It'd become like the theme. And the one guy was in West Virginia saying he was in Western North Carolina, when in fact he was a West Virginia resident, complaining that he wasn't receiving responses. It is stuff like that, the rhetoric, that you just kind of think, what is the truth these days? Because we spend so much of our time, people on social media and then it becomes on the media and then they have to correct themselves. And it is kind of this day, of the way communication can go throughout and go so fast on social media. You can't defend yourself by creating a radio ad or a TV ad and defend that process as fast as social media is able to get out a particular message.

Roskam: Yeah. It was Winston Churchill who said, a lie is halfway around the country when the truth is just putting its pants on in the morning. I think that is part of that…

Shuler: That is so true.

Roskam: …part of that dynamic. What do you both think of, Heath, when you ran and I ran in '06, you had a get out the vote effort, Shuler for Congress, and you know who your voters were, you had a strategy to get them to the polls. You were making phone calls on Election Day to your people, and you had a highly sophisticated system, and so did I. What was, what do you make of what you're hearing about these get out the vote efforts? I think that there is an advantage that the Democrats have moving in this Geo TV environment, in that they've got a pretty highly tuned machine. And I'm hearing that the Trump campaign has kind of outsourced this to some other political operations. What do you make of it?

Shuler: Well, I mean, Peter, you know, you and I both were in what we considered, I was in an R-plus-12 district, and I know you were in a very similar Democrat district that you really had to garner support from both sides. I think you're right. The advantage to Democrats is because that get out the vote effort. And we would make sure we had people, hotlines to call people where we can take them to the voting polls and get support in every area that had a higher population that people wanted to get to vote and couldn't get transportation, or for whatever reason, we made sure that they had a ride to vote. I think it is easier to do in urban areas and which would lean the support toward Democrats in the get out the vote. And unlike in that rural areas where it is a little more challenging and harder and difficult, making one stop may take 30, 45 minutes to get one person to the polls, where one stop in an urban area you may be able to take 10 people to the polls. That, I think, is the challenging aspect of getting out the vote in these latter days. And if the Democrats are going to win, they're going to have to win

and really rev up that urban vote, and it's got to be larger than it was in years past.

Roskam: Jim, what do you make of that get out the vote effort on both sides?

Ellis: I agree with you and Heath. I think the Democrats clearly have the advantage of Trump's campaign, to sort of outsource that project to the get out the vote drive. I think that will prove to be a mistake. The two parties are very different in this, in my experience. And get out the vote and the ground operation is usually the heart of a Democratic campaign. But Peter, as you know, the whole consultants and the air wars is the heart of the Republican campaign, thinking that that is going to actually drive the vote out. And so, I think the Democrats have definitely the advantage. I was in a group, and Karl Rove was talking about this, and he thinks the Democrats definitely have the ground operation. And this was about a month ago. He was saying that the Trump campaign is saying they're going to knock on a million doors between that point in time, and this was late September, to the election. But as Rove pointed out, the Democrats are doing that every weekend.

Roskam: Right.

Ellis: So, yeah. I think there is a clear advantage for the Democrats on the ground. So, how much difference does that make? Well, they're designed to turn a close loss into a close win. And I think the Harris operation certainly has the edge there.

Roskam: And in terms of trend line and peaking at the right time, there is a momentum shift, and you can see it in the polls where Wall Street Journal has Trump up three right now. And some other polls are showing just momentum on the Trump side, which essentially is, allows the Harris campaign to counter with enough time in terms of get out the vote. You know what I mean? It is not like this is breaking over the weekend before Election Day. They've got enough time, if they're diligent, to be able to put it together and squeeze out every vote.

What are you seeing also, Heath, early voting when I was first, when we were first coming around wasn't that big a deal. But it is sure a big deal right now. And what is your take on the direction of early voting trends?

Shuler: Well, I'm certainly encouraged. I think from just for the fact that that is our duty as citizens of this country is to get out and vote. And I'm guilty of it this week, I drove by the early voting polls, and there must have been a line 100 yards long and I was like, okay I'll come back later. Came back an hour later, and it was still 100 yards long. So I was like, okay, I've got to find a better, a different location. Which is encouraging, we won't, I think it is great that people can get out the vote early. And I really, that is a positive for this nation, that the more people get out the vote that their voice is being heard, which is a really, really positive thing for our country. And that means people are engaged and listening and feel that it is an important process of our citizenship.

So, I like it. I'm encouraged by what I'm seeing and people are getting out to vote, makes it a true positive. More polling places, more opportunities. I think at first, maybe Republicans were a little, in Republican states were hesitant to do that. But I think we're, this being a Republican state and a Republican community that I live in, they're getting out the vote. So, I think they're not hesitant like they once were about early voting that they wanted to vote on Election Day. So, you may see a smaller turnout on Election Day, but we've certainly seen a higher turnout during the early voting.

Roskam: Jim, as you're looking at these numbers, what are you seeing in terms of any trend that you can discern on early voting?

Ellis: Yes, it is a good point on early voting. I mean, we've already had, about 25 million people have already voted. And when you think the electorate is going to be in the neighborhood of 150 million, and we still have the heaviest week of early voting right now. So, it is, yeah, it is very significant, Peter and Heath. And it's really changed the way campaigns operate. As, Peter, you just mentioned about peaking at Election Day, well, we now have election month because you have 47 states that have some form of early voting, and they all handle it a little bit differently and have different deadlines. But it has changed how campaigns operate.

And well, I think what we're seeing now, there is a great website that I follow daily. It is called TargetEarly TargetSmart, and they track the early voting. And I got to tell you, how they get these numbers so fast is beyond me. But they do a great job, and it has proven to be accurate. And from looking at there, you can drill down sort of into geography, if you will, and they have the rural versus suburban versus the urban turnout. And what you need to do is look at it, how those areas have performed in the past, not, don't look at them in relation to each other. But look at them in relation to themselves.

In other words, right now, we're seeing a higher turnout in the rural community than across the country, than, and Heath is mentioning that, what he's seen just with his eyes, that it is increased in the rural areas. But I would think the Harris campaign is quite concerned because across the board the urban turnout looks to be lower than it was in terms of the percentage of people that voted that way in the past. So, that might not be a very good sign for the Harris campaign. The suburban vote seems to be on parity with where it was in the in the past two elections, so I think those are significant numbers.

Roskam: And there is some late shifts too, in terms of allocation of resources. It strikes me that the Senate Republicans are not pursuing the Arizona seat anymore. It seems like they're giving up on the Nevada seat as well.

But they're focusing in hard on these Midwest states and particularly the Michigan Senate seat. It seems to me that the Michigan Senate seat for the Republicans is the great white whale. Everybody chases it every time, but it is very, very elusive. And yet this time, Mike Rogers is a strong candidate, and

Mitch McConnell Super PAC is coming in very, very heavy there. What do you make of that?

Ellis: Well, they needed to, because Rogers's fundraising actually has lagged behind most of the Senate candidates. So, that is what they need to do. But he is an exceptional candidate, and that is something they really haven't had in Michigan before in these statewide races. They've not had someone of the caliber of Mike Rogers running, and I think that is one reason why they haven't done it as well. And this time, the Republicans do have a topflight candidate, but so do the Democrats in Congresswoman Elissa Slotkin. So, this is a really tight race, and I think very well run on both sides, and it'll be interesting to see how that transpires on Election Day.

But you're right that we do see different movement of money away from Arizona for the Republicans, away from Nevada, into Pennsylvania, into Wisconsin, into Michigan. And the other one that they've had to spend money on, the Republicans have, and they just dropped $3 million more into it and they're not happy about it, is to protect that Nebraska seat of Senator Deb Fischer. And she doesn't even have a Democratic opponent. She's got an independent who is running against her and is actually dead even with her in the polling. So, that race has turned into something that no one expected.

Roskam: What a sleeper that would be. Could you imagine that? If somebody flips the game board and an independent wins and in Nebraska? I mean it is like, it'd be, yeah, that would be news around the country, that is for sure.

Shuler: I think that is a perfect example, guys, is where those, even the farm Republicans, that Chamber of Commerce Republicans, is much likely to vote. They're not going to vote for a Democrat. But they are more likely to vote for an Independent. They feel like they're not necessarily going in opposite directions. So, we may start seeing more independent, moderate, Roskam/Shuler type candidates in the future than we do now. Just for the simple fact that so many people believe that the each of their parties have left them. Right? They've gone too far radical right and left. And I think you're going to start seeing more of those independents and we're, I think 80% of the American people are.

Ellis: Well, Heath, you'll appreciate this in particular. I was just in Nebraska here about a week ago and the candidate, the Independent candidate's name is Dan Osborn. And the, everybody is in D.C. that I've talked to, we can't figure out why this race is going the way it is going. Because if you look at Trump's numbers, he is up at 16 points ahead in Nebraska. Senator Pete Ricketts, who also has to run because he is appointed, and he has to run to fill the balance of the current term, he is up 18 points. And why is Senator Fischer, the other Republican, down at even or even a little bit behind in some instances?

Well, I kind of found out after being there for 15 minutes. I hopped in a rental car and what comes on the air but an ad from the football icon of Nebraska and former Congressman Tom Osborne, who won three national championships there and is extremely well thought of. And his ad is, we had the same name as

the candidate running against Deb Fischer, but I've never met the man. And then he goes on to talk about how he knows Fischer and how great she is. And this ad is not an Independent ad, this ad is paid for by Fischer's campaign. So, obviously their data is telling them there is some name confusion here.

Roskam: Oh, wow.

Shuler: Oh, very good. Yeah.

Ellis: People getting confused with Tom Osborne, the great head coach, and he was in Congress himself for three terms. And so, I think this, they think anyway, the Fischer campaign thinks this is a factor or they wouldn't have Osborne doing that ad. So, I thought, oh, well, this is an interesting twist.

Roskam: It is fascinating how campaigns close out. And let's focus on that in these last couple of minutes. So, I heard it from someone else, but Kamala Harris's summer of joy has become the autumn of fear. I mean, her closing argument is, Trump is a fascist and not worthy of the presidency, Joe Biden said we need to lock him up. Interestingly, my wife just shot me an e-mail and it is a New York Times article from 1948 where Harry Truman was accusing Tom Dewey of similarities to Hitler and says that Dewey is going to be a fascist tool. So, I mean, it is an old playbook. And Trump is trying to sort of be a more joyful candidate in a way, the McDonald's ploy, the teasing and so forth. Look at everybody, they're having such a great time. And these various closing arguments, how impactful do you think these are going to be when it all comes down to it? Or have people already made up their minds? And it is like, look, this is done, I just want to vote and get this thing over with.

Shuler: Well, I think that, I think people have had their mind made up for a very long time. I just think that the polling numbers just try to, they don't necessarily always get it right or the margin of error is just wrong. I can't, if you look at the two candidates, you certainly couldn't see more diverse candidates probably in the history of our country. They are, so try to find what issues you stand on. If it is a single issue that some voters are, is it multiple issues? I just find it really hard that there are people that haven't made up their mind in the last month. I, it just truly shocks me that because of the differences of who they are.

And I don't want to, it doesn't sound, but I think people hold different candidates to different thresholds. I mean, Harris, if she says one bobble up, then it is like, oh, wow, she did this, she did this. And I call Trump, he's always been Teflon to me. The guy can say absolutely anything and it just, it like rolls right off of him and never sticks. And any other candidate can say whatever they want and it sticks, and it sounds like, well, you know better than that. Well, that is just Trump. Right? One side says, well, that is just Trump. That is the way he is. And the other side is, well, you know better that you've been in politics for a while. You understand, you should have known better. And I just don't think that the electorate out there is, I think they've already made their decision months, as soon as it, with after the first debate. If there was any question, I think that

decisions was made one way or the other. And I think we're just going through the process now and whoever garnishes and gets out the vote now.

Roskam: Jim, do you think these closing arguments matter?

Ellis: Yes, I think so too. It is whoever can really get their people out. But I think this is another good sign for the Trump campaign that this is going to be their closing shot. They're just going back to those tired old things they've said about Trump over the years that people have pretty well ignored. It is, I mean, if that is all they've got, I think that is a pretty good sign for Trump.

Roskam: It is going to be interesting. In earlier podcasts, we were commenting after the Republican convention this summer, that the Republicans were irrationally exuberant and confident. After the Democratic convention, the Democrats were irrationally confident and exuberant, and it turns out that that was right. This is a dogfight. It is going to come down to very close margins in these battleground states. And I know I learn every time the three of us get into a conversation. And I really appreciate, Heath, your time today, and Jim, and look forward to us unpacking this election after Election Day. So, this is The Cloakroom with Peter Roskam. Thanks for listening, and we'll be back soon. Bye-bye.

Rubenking: Thank you, Peter, Heath, 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 Roskam.

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