

Political Update – 2020 Elections and Potential Impacts

August 26, 2020

Holland & Knight

Presentation Overview

- In this presentation, we will discuss the current political environment in Washington D.C., and review the upcoming House, Senate, and Presidential elections.
- As we discuss, we will provide intelligence and analysis based on our ongoing discussions with senior political and campaign staff – as well as our own insight based off of our collective experience.

Senate Elections

House Elections

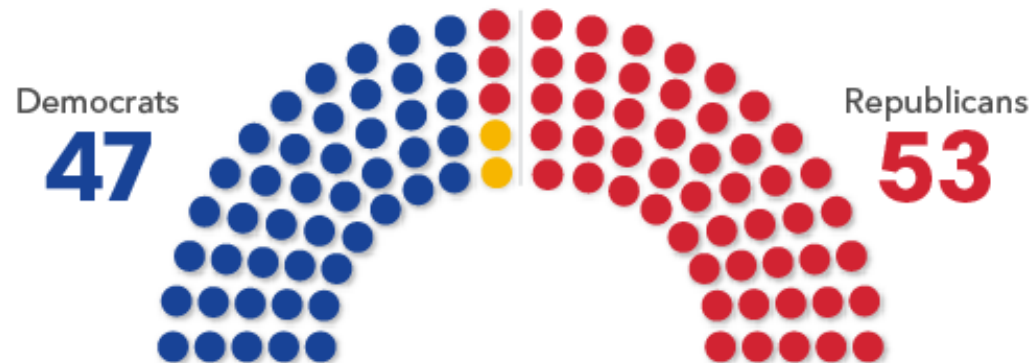
Presidential Elections

Scenarios for 2021

Senate Elections

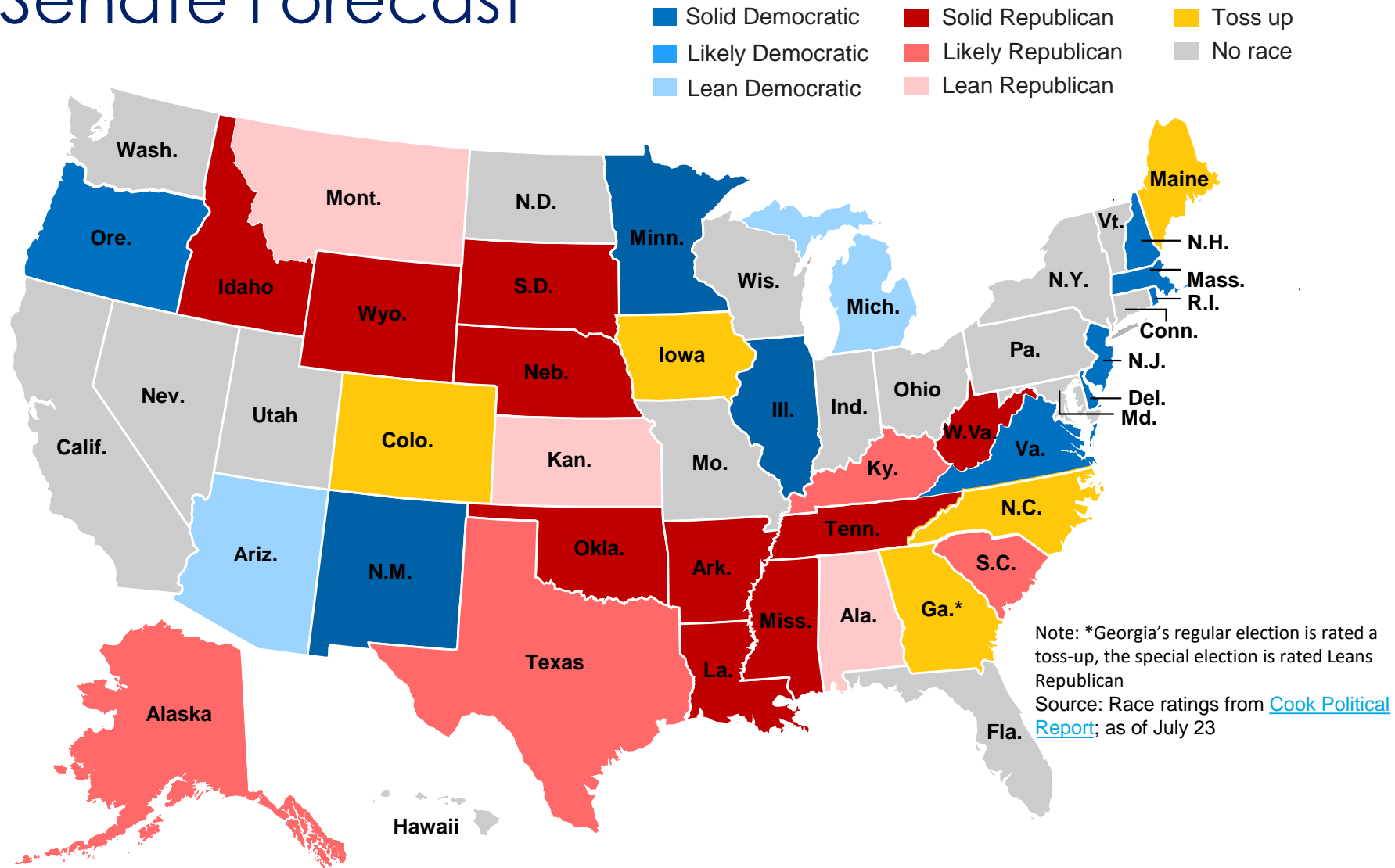
Senate Balance of Power

- Trump's re-election outlook and each party's ability to field strong candidates are key
 - If Democrats net **four seats** they would take control of the Senate; netting three seats would result in a presumptive tie; the Vice President casts a deciding vote in the Senate where a majority vote is required
 - Democrats last defeated more than two Republican senators in 2008, when Barack Obama's victory helped Democrats beat five GOP incumbents



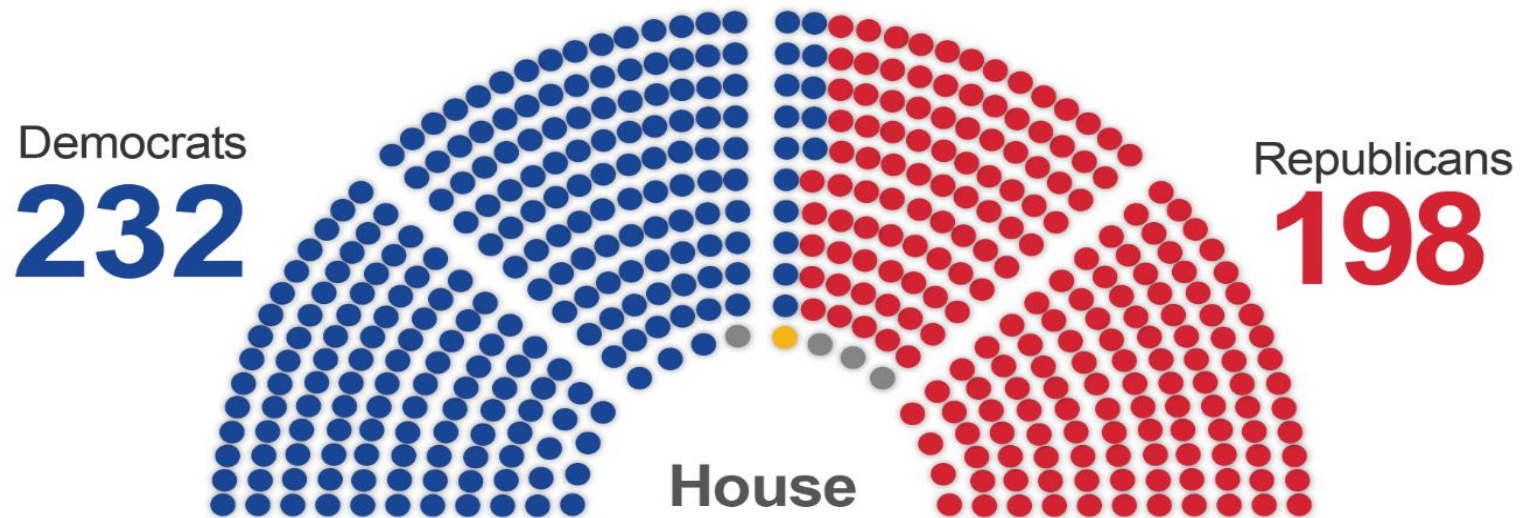
Notes: Two independent senators (Bernie Sanders (VT) and Angus King (ME)) caucus with the Democrats.

Senate Forecast



House Elections

House Balance of Power



● Libertarian

- The four vacancies are in CA-50, due to the resignation of Duncan Hunter (R); GA-05, due to the death of John Lewis (D); NC-11, due to the resignation of Mark Meadows (R); and TX-04, due to the resignation of John Ratcliffe (R). Chris Jacobs (R) was elected in NY-27 to replace Chris Collins (R), who resigned last year.

Presidential Elections

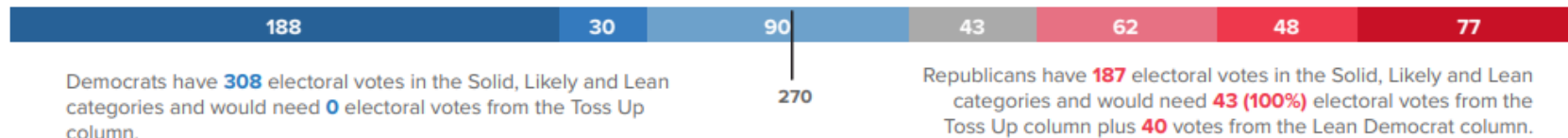
Major Dates on Presidential Calendar

- Sept. 29: 1st presidential debate (Cleveland, Ohio)
- Oct. 7: Vice presidential debate (Salt Lake City, Utah)
- Oct. 15: 2nd presidential debate (Miami, Fla.)
- Oct. 22: 3rd presidential debate (Nashville, Tenn.)
- Nov. 3: Election Day

Electoral College Math Matters Most

- 538 Total Electoral College Votes; Need majority to win (270 votes)
- In 2016, Trump won electoral vote 304-227, lost the popular vote by 2.1 points

Cook's Latest Scenario: 308 – Biden/Democratic | 43 - Toss Up | 187 - Trump/Republican



SOLID DEMOCRAT	LIKELY DEMOCRAT	LEAN DEMOCRAT	TOSS UP	LEAN REPUBLICAN	LIKELY REPUBLICAN	SOLID REPUBLICAN
14 States (+ ME-01 & DC) 188 Electoral Votes	4 States 30 Electoral Votes	6 States (+ NE-02) 90 Electoral Votes	3 States (+ ME-02) 43 Electoral Votes	3 States 62 Electoral Votes	7 States 48 Electoral Votes	13 States (+ NE-01 & NE-03) 77 Electoral Votes
California (55) Connecticut (7) Delaware (3) Washington DC (3) Hawaii (4) Illinois (20) Maine 1st CD (1) Maryland (10) Massachusetts (11) New Jersey (14) New Mexico (5) New York (29) Oregon (7) Rhode Island (4) Vermont (3) Washington (12)	Colorado (9) Maine (2) Nevada (6) Virginia (13)	Florida (29) Michigan (16) Minnesota (10) Nebraska 2nd CD (1) New Hampshire (4) Pennsylvania (20) Wisconsin (10)	Arizona (11) Georgia (16) Maine 2nd CD (1) North Carolina (15)	Iowa (6) Ohio (18) Texas (38)	Alaska (3) Indiana (11) Kansas (6) Missouri (10) Montana (3) South Carolina (9) Utah (6)	Alabama (9) Arkansas (6) Idaho (4) Kentucky (8) Louisiana (8) Mississippi (6) Nebraska (2) Nebraska 1st CD (1) Nebraska 3rd CD (1) North Dakota (3) Oklahoma (7) South Dakota (3) Tennessee (11) West Virginia (5) Wyoming (3)

Possible Scenarios for Election Results

Biden Wins The Presidency, And --

- House Stays Democratic
 - Senate Stays Republican
 - This is a very likely outcome.
 - Divided government with a difficult path for Biden to implement his agenda.
 - Will highlight inter and intra party divisions
 - Focus on agency rulemaking
- House Stays Democratic
 - Senate Flips Democratic
 - Also a likely scenario.
 - United government– Biden administration will have a very effective first 100 days as Democratic party will be united (at least initially)

Trump Wins Re-election, And --

- House Stays Democratic
- Senate Stays Republican
- The most likely scenario IF Trump wins reelection.
- Continued divided government.
- Focus shifts to the agencies since Congress will be bitterly divided.

- House Stays Democratic
- Senate Flips Democratic
- Potential scenario if Democrats flip seats in battleground states that vote for Biden.
- Divided government
- Strong emphasis on national debates over policy.

Biden or **Trump** Wins Presidency, And --

House Stays Democratic

Senate goes 50-50 – Deadlock

There is a good chance that the Senate will go even, and that the chamber is split. This has happened in the past – most recently in the 2000 election.

This would introduce uncertainty into Congressional policymaking because the Democrats and Republicans would have to create a “power sharing” arrangement.

Thank You