



The Big Casino

November 2024 | The Smith-Free Group

Following last week's elections, Congress returns to work in Washington before a targeted adjournment date of December 20th. Here are some initial thoughts about the lame duck session and the post-election political environment.

Political Landscape

Trump returned from the political dead with a resounding win, arguably the best performance by a Republican since Ronald Reagan's victory in 1980. Votes are still being counted, but he likely won the popular vote as well as a solid majority in the Electoral College. Both parties will argue about the scope and size of the mandate for Trump, but the fact remains he improved his share of the vote across practically every major demographic

compared to four years ago. The Trump majority was not large by historical standards but is an assertive performance in our current polarized environment.

Taking a step back, Trump's win should have been more broadly expected among the political chattering class. In the most recent [Gallup survey](#) from late September, a strong majority of Americans reported they feel worse off than four years ago, always a bad sign for the incumbent party in the White House. Additionally, since Covid inflationary headwinds have led to the defeat of incumbent leaders around the globe. To her credit, Harris's entry into the race breathed new life into a flagging Democratic Party. But by refusing to clearly separate herself from Biden – “not a thing comes to mind” – Harris ran as a de facto incumbent and all the challenges that come with it.

While overall turnout in 2024 dipped a few points from the 66% who voted in 2020, several broader trends continued. First, change has become the norm. For the last six elections, at least one of the House, Senate or White House has changed hands. Second, many analysts and academics gained fodder for their argument that the country politically is going through a generational realignment. The labor movement which has been bedrock for Democrats for decades now counts many Trump supporters among its members. At the same time, business community support for Republicans has splintered: for instance, see the recent tensions between House Republicans and the U.S. Chamber of Commerce. Suburban voters are moving away from the GOP while minority voters are beginning to look askance at Democrats. Next, the movement toward early voting continued with almost 80 million Americans casting a ballot before Election Day. Finally, politicos will continue to argue about polling accuracy over the coming weeks and the utility of relying on surveys. For our part, we always try to keep in mind the limits of polling. Polling has never been so precise as to be able to pinpoint election results, but in the Information Age we have all come to expect exactitude and a specificity that typical surveys cannot provide.

Looking at down ballot results, Trump's sway over Republicans is only likely to grow. In 2016, he trailed many GOP senators and House members at the polls, but few ran ahead of him in 2024. In fact, if other Republicans had run closer to Trump's vote totals their party's victory would have been even broader. For instance, four Democrats won U.S. Senate seats in states carried by Trump – Tammy Baldwin (Wisconsin), Ruben Gallego (Arizona), Jacky Rosen (Nevada) and Elissa Slotkin (Michigan). These results are not only a testament to the candidates' campaign skills, but a rebuttal of the straight ticket voting that has dominated Senate races in recent presidential cycles. Democrats will also point to limits in Trump's appeal in that only a handful of House incumbents lost in a bad cycle, a number likely to end up being smaller than House GOP incumbent losses.

Legislative Agenda

Congress reconvenes today to consider what will likely be a limited legislative agenda before adjournment sine die by December 20th.

Several factors argue against much legislative movement in the lame duck. First, it appears Republicans will have a majority in the 119th Congress and thus have much less incentive to act between now and the end of session, preferring to address issues when they control both the White House and Congress.

Second, Senate Democrats are likely to focus sharply on confirming as many judges as possible, prioritizing floor time on nominations over legislative efforts. Finally, there is the specter of Trump hovering over the lame duck. Will he adopt a “clean out the barn” attitude, urging Congress to wrap up business so his administration can start next year with a clean slate, or will he urge his supporters to delay action on the Hill. Surely, some of the more conservative House Members will argue for delay, but the slow start for the incoming president's first term cannot be far from his team's mind now.

At this point, the legislative agenda is lean. Topping the list – maybe comprising just about all of it – are the annual defense authorization bill, FY25 appropriations legislation, and an extension of the Farm Bill. How Trump handles these items will give us a clue as to his approach toward Congress next year. Because he ran ahead of most lawmakers, he will have a strong hand in governance. Does he start wielding that influence now? Beyond the lame duck, his position appears similar to what Reagan had in 1981 and Bush43 in 2001. Both were able to cajole their own party and a swath of Democrats to pass major tax bills, Trump's top priority next year.

For Speaker Johnson, if Trump supports him then his task of corralling wayward Republicans becomes somewhat easier. The usual suspects in the House who prioritize disruption and upheaval will try to end run the Speaker by talking directly to the White House, and it bears watching how the incoming president deals with this dynamic. The only question is when these machinations begin... if they have not already.

As for Democrats, they will be on the back foot legislatively for a bit as they comb through the electoral wreckage and search for answers. But they will still have stout minorities in both the House and Senate and it is only a matter of time before they begin flexing their muscles. Following election post-mortems, the challenge for Democrats will be to discern when to oppose the president

Finally, a word on leadership elections. Over the weekend, we all saw Sen. Scott and his allies launch a public effort in support of his campaign to become Majority Leader. Normally, senators rebel against what they see as “outsiders” pressuring them on something they, senators, see as their prerogative. Because the race is conducted by secret ballot, this also insulates senators to a large degree. It will be very intriguing to see if the disruptive nature of the Trump supporters can

penetrate the clubby world of United States Senate. While our guess is Scott falls short, his effort could provide a platform of sorts for second-guessing of either Thune or Cornyn in the future when one of their actions displeases the MAGA faithful.

Worth a Read

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What [news sites](#) saw the most traffic in October?

[Shot...](#)

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Calendar

- Nov. 13 Senate GOP Leadership Elections.
- Nov. 13 House GOP Leadership Elections.
- Nov. 15 House GOP votes on Republican Conference Rules.
- Nov. 19 House Dem leadership elections.
- Nov. 23 National Adoption Day.
- Nov. 30 Michigan v. Ohio State college football game.
- Dec. 11 Deadline for states to certify election results and to submit electors for the Electoral College.
- Dec. 16 251st Anniversary of the Boston Tea Party.
- Dec. 17 Electors vote in state capitals.
- Dec. 25 Hanukkah begins.
- Jan. 6 Members of Congress count electoral votes.

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