

# Washington

## WATCH

### Countdown to the 2020 Presidential Election

BY DOUG KANTOR, EVA RIGAMONTI, AND MICHAELA CAMPBELL, STEPTOE & JOHNSON LLP

**The 2020 presidential election may seem far on the horizon, but with the first caucus only months away, the campaign trail is beginning to heat up. Here are some important dates to keep in mind:**



#### Who is Running for the Republican Nomination?

With President Trump polling +85 in the Republican primary, internal GOP efforts to challenge him do not seem to be posing a formidable threat.<sup>1</sup> But even without a strong primary challenger, this election won't necessarily be smooth sailing for President Trump. On September 24, 2019, Speaker of the House Nancy Pelosi announced that the House of Representatives will conduct an impeachment inquiry, the first step of the impeachment process. Renewed calls for impeachment from Democrats followed news reports of a whistleblower alleging misconduct between Trump and the President of Ukraine during a July 25, 2019 phone call.

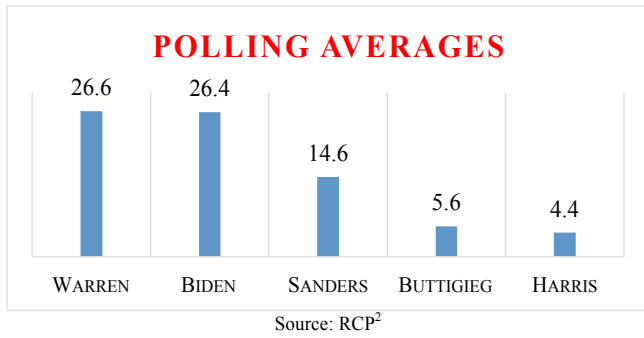
While a growing numbers of voters (including Republicans) favor the impeachment investigation and removal of the President from office, a large majority of Republicans still oppose impeachment. That would likely need to change for the Senate to vote to remove him from office. Meanwhile, on the campaign

trail, the top five Democratic contenders have all announced their support for the impeachment of President Trump.

#### Who is(n't) Running for the Democratic Nomination?

Initially, more than 25 Democrats had thrown their hats in the ring. As campaigns have begun to take off, however, top candidates are quickly emerging from the pack. While Former Vice President Joe Biden had been maintaining a lead in the polls, Elizabeth Warren has been gaining steadily since the spring and surpassed Biden in October 2019. Warren has put forward many comprehensive policy plans that have impressed primary voters and moved many other candidates toward her positions on issues. Right now, she seems to be convincing Democrats she is right not only on policy but also on politics. Senator Bernie Sanders rates a solid third in the polls, but his October heart attack raises questions about his ability to continue to run a full-fledged campaign and serve as President. Mayor Pete Buttigieg and Senator Kamala Harris follow, but both are significantly behind the top three candidates in the polls at this point. ►

<sup>1</sup> 2020 - Latest 2020 GOP Presidential Primary Polls, RealClearPolitics, [https://www.realclearpolitics.com/epolls/latest\\_polls/republican\\_nomination\\_polls/](https://www.realclearpolitics.com/epolls/latest_polls/republican_nomination_polls/) (last visited October 9, 2019).



## What are the Major Campaign Issues?

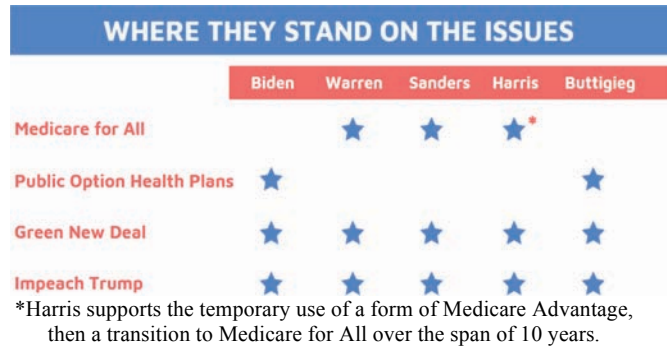
On the Republican side, President Trump will seek reelection based on the merits of his performance in office. His strategy thus far has been to point to the growth of the economy as the central rationale for his reelection – and to warn that the stock market and economy generally would be at risk if he is not reelected.

That argument may, however, be undercut if economic growth continues to slow as it has the past few months – particularly if that slowdown is tied to the President’s trade policies. One priority for the President has been rethinking trade, including renegotiating the North American Free Trade Agreement, which lowers trade barriers between the U.S., Canada, and Mexico. While the new deal has not yet been ratified by Congress, there could be congressional action on the deal this fall or winter. The President will also tout his actions to get tough on trade with China and his reprogramming of funds to build part of a wall on the border with Mexico. The wall, and immigration generally, will be central campaign themes for him as they were in 2016 and 2018.

A main issue for Democratic primary voters is the ability of the nominee to win the general election. That has been a central argument for Biden given his popularity with blue collar voters in the midwestern states. But if his poll numbers continue to fall, that argument will get weaker.

Another major issue for Democrats is healthcare. On the more progressive side of the party, Warren and Sanders both are in support of replacing the current system with “Medicare for All.” Though “Medicare for All” is a broad term that may mean different things depending on who is proposing a plan, the concept has generally included abolishing private insurance and requiring every American to have a health insurance plan provided by the federal government.<sup>3</sup> Biden and Buttigieg, on the other hand, support a “public option” health plan, which is a mixture of government-run and privately-run health insurance.

Harris has proposed a more complex mixture of government and private insurance similar to Medicare Advantage, with a 10-year transition to Medicare for All.

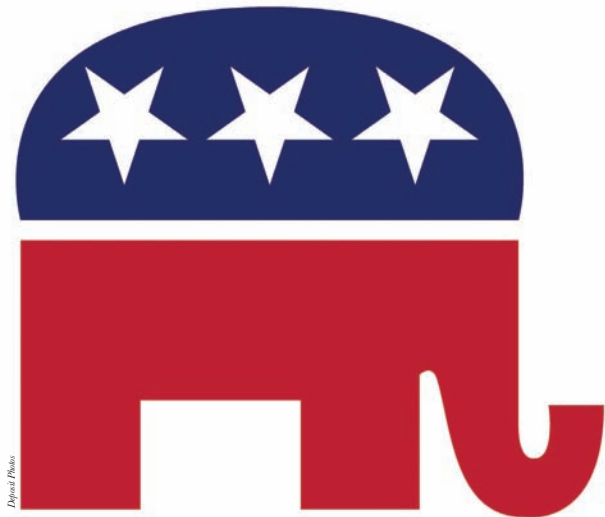


Climate change has also been a central issue for top Democratic candidates. Goals have been set high, with most candidates aiming to have U.S. emissions at a net zero within the next few decades. Big goals, however, come with big price tags. Senator Sanders has proposed a \$16.3 trillion-dollar plan, followed by Harris’s \$10 trillion plan, Biden’s \$5 trillion plan, Warren’s \$3 trillion plan, and Buttigieg’s \$550 billion plan.<sup>4</sup> The top five candidates have also all endorsed the “Green New Deal,” a proposal that would seek to combat climate change and income inequality through extensive new federal government programs and investment.



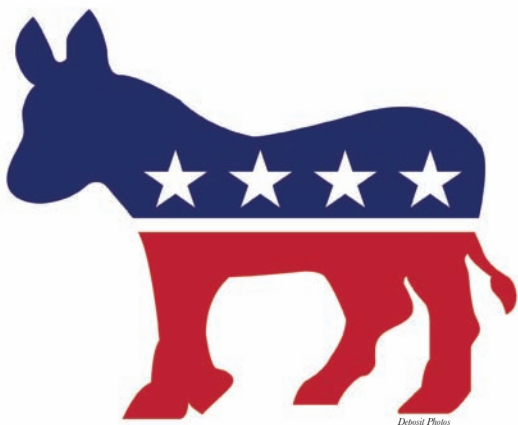
<sup>2</sup> 2020 Democratic Presidential Nomination, Real Clear Politics, [https://www.realclearpolitics.com/epolls/2020/president/us/2020\\_democratic\\_presidential\\_nomination-6730.html](https://www.realclearpolitics.com/epolls/2020/president/us/2020_democratic_presidential_nomination-6730.html) (last accessed October 9, 2019).  
<sup>3</sup> Alice Miranda Ollstein, Medicare for All, Politico (August 5, 2019), <https://www.politico.com/2020-election/candidates-views-on-the-issues/health-care/medicare-for-all/>.

Overall, Democratic candidates other than Biden and some lower tier candidates (such as Montana Governor Steve Bullock) have made dramatic moves toward more expansive liberal policy priorities. That will be something they will try to use to their advantage, and Republicans will try to use against them, in the general election.



## Fundraising and Democratic Debates

Fundraising has been a particularly important issue this year because of how the Democratic National Committee decided to structure the rules to qualify for its debates. For the October debates, 12 candidates qualified, which meant they all met the requirement to register at least 2% support in four qualifying state or national polls and acquire 130,000 unique donors. In the November debates, however, only the top five candidates have secured a spot so far.<sup>5</sup> To qualify in November, candidates will need 165,000 individual donors and must also meet certain polling requirements.<sup>6</sup>



As of the third fundraising quarter, Sanders leads the pack in fundraising. He announced that he raised \$25.3 million. Warren raised \$24.6 million, Buttigieg raised \$19.1 million, Biden raised \$15.2 million, and Harris raised \$11.6 million. However, President Trump continues to blow everyone out of the water, having announced a \$125 million haul during the same quarter, marking a new presidential fundraising record. This will be key during the general election, where Trump will start off with a huge war-chest.

## So, What's the Prediction?

While Biden has garnered a lot of attention as a strong contender for the Democratic nomination, the candidate with the most momentum at this point seems to be Warren; her poll numbers have been steadily rising, while most other candidates' poll numbers are either holding steady or drying out. On the Republican side, President Trump will be the nominee unless impeachment revelations increase to such an extent that he leaves office.

It's important to keep in mind, however, that predicting the bottom of the ninth during the middle of the game is difficult. Despite what polling tells us in October 2019, the race for the Democratic nomination could change dramatically. Presidential campaigning will significantly ramp up in 2020, at which point, it could be anyone's game. ★

---

**Douglas Kantor** is a partner, **Eva Rigamonti** is an associate, Michaela Campbell is a legislative assistant, and Thereza Cevdanes is a legislative intern in Steptoe & Johnson LLP's Washington D.C. office.

Steptoe & Johnson LLP is counsel to the Society of Independent Gasoline Marketers of America.

<sup>4</sup> Rashuan Ayesh and Orion Rummel, *Where top 2020 candidates stand on climate policy and the Green New Deal*, *Axios* (September 12, 2019), <https://www.axios.com/2020-presidential-candidates-green-new-deal-22faff60-3fee-45f3-8636-09e437c82431.html>.

<sup>5</sup> As of October 9, 2019, the date of drafting of this article.

<sup>6</sup> Maggie Astor, K.K. Rebecca Lai, Matt Stevens, and Gus Wetzerek, *Who's Qualified for the 2020 Democratic Debates?*, *New York Times* (October 2, 2019), <https://www.nytimes.com/interactive/2019/us/politics/democratic-debate-lineup.html>.

<sup>7</sup> Jacob Pramuk and Brian Schwartz, *Trump, RNC Blow Away Top Dems with \$125 Million Fundraising Haul in the Third Quarter*, *CNBC* (October 1, 2019), <https://www.cnbc.com/2019/10/01/trump-campaign-republican-national-committee-raised-125-million-in-the-3rd-quarter-q3-reports.html>.