

## Cozen Currents: The Best Defense is a Good Offense

### The Cozen Lens

- President Biden and the likely 2024 Republican presidential nominee, former President Trump, both have high unfavorability ratings, setting up next year's election as a choice between the lesser of two evils.
- Speaker Mike Johnson (R-LA) was elected in part because he was almost universally liked among House Republicans. However, governing means making tough decisions, and his biggest test is ahead, in which he will have to choose between being a fiscal or defense hawk.
- Senator Joe Manchin's (D-WV) recent decision not to stand for re-election has Democrats holding on for dear life trying to retain control of the upper chamber.

### The Lesser of Two Evils

- **Dynamics of the General Election.** The 2024 presidential race is likely to be a contest to see who is disliked less by voters.
- Next year's presidential election diverges from the norm. When a president runs for a second term, the election usually is seen as a referendum on the incumbent's performance. That dynamic would do no favors for President Biden, who faces dismal 54.7 percent disapproval and 39.1 approval ratings in the latest *FiveThirtyEight* polling average.
- A more conventional Republican candidate could take advantage of Biden's weak support, but the likely 2024 GOP nominee, former President Trump, is anything but. Trump faces similarly poor favorability ratings: 53.2 percent unfavorable and 42.1 percent favorable. And given Trump's proclivity to make anything he is involved in all about him, it will be difficult for Trump to make the election a referendum on Biden's performance in the White House.
- The race is more likely to play out as a choice election between two deeply disliked figures well-known to the electorate. In these highly polarized times, both candidates have a high floor of support and a low ceiling, and the outcome of the election is likely to be close. Winning the votes of the so-called "double haters" who don't like Biden or Trump will be key.

**Biden's Changing Strategy.** The president's campaign is adapting to the realities of a choice election.

- Recognizing the reality of the lesser of two evils framing, the Biden campaign is pivoting its messaging. The positive "Bidenomics" pitch has failed to raise the president's approval rating, and his campaign is increasingly now focused on making a negative pitch: the dangers of a second Trump term. "We are absolutely looking at ways that we can help drive the conversation around Trump and MAGA as much as we can," campaign spokesperson Kevin Munoz told the New York Times.
- Trump's universal name ID raises questions as to the effectiveness of this approach. Past incumbents including Presidents George W. Bush and Barack Obama won re-election after successfully negatively defining their opponents. Everyone, of course, already knows Trump.
- Nevertheless, the president is increasingly taking on his predecessor head-to-head. This month, the Biden campaign released memos attacking Trump on issues including abortion rights, the economy, and immigration and portraying him as a threat to US democracy. In a



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speech at a campaign event in San Francisco earlier this month, Biden criticized Trump directly.

**Key Issues.** Immigration and age are likely to be major issues for the 2024 presidential election.

- Biden has to grapple with being the incumbent at a time of challenging geopolitical issues including wars in Ukraine and the Middle East. Biden's handling of foreign policy is not winning him any credit from voters, who are more preoccupied with domestic issues such as the economy. President George H.W. Bush did not see voters reward him for his foreign policy achievements, including victory in the first Gulf War and the end of the Cold War, and became the last president to lose re-election until Trump.
- Immigration, particularly along the southern border, is a particularly challenging issue for Biden. The latest RealClearPolitics polling average found that only 33.8 percent of Americans approve of Biden's handling of immigration. The Biden campaign is trying to address this vulnerability by attacking Trump over his own immigration proposals.
- Despite Trump's competitive performance in general election polling against Biden, his approval rating is also low and unlikely to meaningfully change, meaning he is still better off attacking Biden rather than touting his own candidacy.

**Is Speaker Johnson a Fiscal or Defense Hawk?**

**Johnson's Choice.** In his short stint thus far in leadership, House Speaker Mike Johnson (R-LA) has tried to balance the interests of fiscal and defense hawks, but he will eventually have to choose a side.

- Johnson has spoken about the need for spending cuts and has privately reassured ultra-conservative members of the House Freedom Caucus (HFC) that they will get their wish in any full-year spending agreement.
- The best avenue for Johnson to achieve this objective is by allowing the one percent across-the-board cuts to defense and non-defense spending set under the Fiscal Responsibility Act (FRA) to take effect. The difficulty with this approach is that it requires Johnson to go against his defense hawk history and buck the significant military presence in his district.

**Expectations Management.** The HFC's hopes for spending cuts larger than those in the FRA are a pipe dream, but how Johnson manages their expectations will determine his standing for the rest of his speakership (and beyond).

- "MAGA Mike" was welcomed by the HFC when elected, but he has yet to deliver a policy win for its members. While they allowed the latest continuing resolution (CR) to pass earlier this month, the group is now blocking the passage of any more appropriations bills without a clear plan to secure the spending cuts they are seeking by the time the CR's deadlines kick in early next year.
- There is no way that Johnson can deliver close to everything the HFC wants given that Democrats control the Senate and the White House, but part of his role as speaker is finding some win for this group and, most importantly, selling it to them.
- Johnson's relationship with the HFC lacks the personal animosity that existed between these members and former Speaker Kevin McCarthy (R-CA). This different dynamic makes Johnson appear safe from a motion to vacate that would remove him from his position. However, this does not mean he won't face any retaliation.

**Johnson's Long-term Goals.** Johnson's eventual decision regarding which camp he will join and how to manage the HFC will be influenced by his longer-term ambitions.

- Johnson was elected in part because he was well-liked throughout the caucus. His lower profile bolstered his likeability as he was never forced to make any decisions that upset fellow members. Being thrust into the speakership, Johnson now has to balance the competing interests of his fractious conference and make those tough choices that inevitably will leave some disappointed.
- If Johnson wants to have a durable tenure in House GOP leadership, he may need to disappoint his own constituents and fellow defense hawks in order to remain sufficiently in the

good graces of the HFC. Otherwise, while the HFC may allow him to serve out his current term as speaker to avoid yet another messy speakership fight before next year's elections, they could refuse to continue to support him for a leadership role in the next Congress, marking his speakership only as a footnote in history rather than a chapter of it.

## The Senate Going into 2024

**No Room for Error.** It's not too early to say that Republicans begin the fight for the Senate in 2024 with a dominant hand.

- The situation is dire for Democrats, who currently control the Senate by a slim 51-49 margin. They can only afford to lose a single seat if a Democrat retains the White House (relying on the vice president to break a tie). But if a Republican becomes president, they can't lose any.
- Democrats are defending three states former President Trump won twice handily. The only hope for retaining the toughest of these three — West Virginia — died with Senator Joe Manchin's (D-WV) recently announced decision to retire.
- To be clear, Manchin was likely to lose the seat even if he ran for re-election. He's unpopular in the state and would face a West Virginian icon, current Governor Jim Justice (R-WV) (and his equally iconic canine, *Babydog*). Nevertheless, Manchin's decision drives whatever chances of holding this seat from slim to none, a risk Democrats can ill afford.

**Will Republicans Shoot Themselves in the Foot (Again)?** Democrats' best chance to keep the Senate in 2024 is the same thing that saved them in 2022: that the GOP will nominate unpopular candidates that appease the base in the primary but struggle to win the general election.

- Republican leadership and local bigwigs have gotten behind wealthy businessman and decorated veteran Tim Sheehy to be the nominee in Montana, but he faces a solid primary threat in the form of ultra-conservative Rep. Matt Rosendale (R-MT), who's expected to enter the race. This is exactly the situation the GOP is wanting to avoid. Rosendale already lost to incumbent Senator Jon Tester (D-MT) in 2018 and many worry he would lose a 2024 rematch. Despite Rosendale's MAGA bona fides, even Trump won't endorse him.
- In Arizona, Kari Lake (R-AZ), the failed 2022 Arizona gubernatorial candidate, has her eyes on the nomination. Her becoming the Republican nominee is already being treated as a fait accompli, despite the perception that the bridges she's previously burned with moderates will hurt her with both swing and Republican voters.
- The fate of the GOP nomination remains uncertain in Ohio, which features a three-way race, and Wisconsin, where no major Republican has stepped to the fore. Increased clarity on the 2024 Senate elections is expected to come as the Republican candidates are locked into place.

**The Case Where the Best Offense is Still a Strong Defense.** Democrats might just have a strong enough lineup in battleground states to cut their losses to one.

- In Montana, Democrats have a strong candidate in Tester, who remains quite popular despite representing unfriendly territory for Democrats. Among the 59 percent of Montanans who disapprove of President Biden, 42 percent of them nevertheless give Tester positive marks.
- In Ohio, incumbent Senator Sherrod Brown (D-OH) may retain his spot as the only Democrat left in statewide office by relying on his populist, blue-collar appeal. A recent Emerson poll found Brown leading against all three leading Republicans vying for their nomination in head-to-head matchups, albeit within the margin of error and with only a plurality of the vote. The survey suggests that one-in-ten Trump voters would defy the declining trend of split-voting by casting their ballot for the former president and yet choosing to cross the aisle to support Brown.
- Democrats also benefit from a solid bench in the other states they must defend. Senator Bob Casey (D-PA) has held his spot since 2007 and is the inheritor of a powerful political dynasty in the Keystone State. Vulnerable incumbents, like Senator Jacky Rosen (D-NV), have already begun separating their personal brands from Biden in hopes of not being dragged down by his low approval in their home states.

