

Impact of U.S. Elections on Latin America Webinar

Jackie Williams [00:00:01] Good afternoon, everyone, and welcome to today's webinar on the impact of U.S. elections on Latin America.

[00:00:08] Thank you for joining us. A couple of quick things before we get started. All the participants are on mute. If you have any questions that you would like directed to the panel, please put them in the Q&A box at the bottom of your screen. Today's program is being recorded and will be made available on our web site. And if you have any technical problems that require assistance, you can reach me in the chat box. With that, I will turn this over to Francisco Sanchez to get our program started.

Francisco Sanchez [00:00:37] Thank you, Jackie. And thanks to all of you joining us. We appreciate you spending part of your day with us.

Francisco Sanchez [00:00:43] On our panel today is Nasim Fussell, who is a trade attorney in Holland & Knight's Washington, D.C. office. Prior to joining Holland & Knight, she was the chief international trade counsel for the US Senate Committee on Finance. Scott Mason is in the public policy and regulatory group of Holland & Knight, also in the Washington, D.C. office. There, he focuses on the intersection between Capitol Hill and the Trump administration on major policy issues. Scott served as the director of congressional relations for the Donald J. Trump campaign and subsequently in the president elect's transition team. Jim Davis is a partner in Holland & Knight's Public Policy and regulatory group. Prior to joining Holland & Knight, Jim served as a congressman in the U.S. House of Representatives for 10 years. During his tenure as a congressman, Jim was a leader in the passage of several major trade agreements. And I'm Francisco Sanchez. I'm a partner in Holland & Knight's trade group, and I co-lead the international trade practice. Prior to joining Holland & Knight, I served as the U.S. undersecretary of commerce for trade.

Francisco Sanchez [00:01:56] So today we'd like to give you our perspectives on the upcoming U.S. elections, as well as a glimpse into what we see might be trade policy in 2020, 2021 under a second Trump administration or under a Biden administration. So to get us started. Let me turn it over to Scott Mason and Scott, please give us your perspective on the state of play in the U.S. election.

Scott Mason [00:02:26] Francisco, thank you very much, Jackie. Thank you and to all the attendees this morning, thank you very much for your participation. Jackie, go ahead, go to the next line. As Francisco mentioned, I was on the 2016 Trump campaign and ran the congressional relations program, which was very, very robust in 2016 in terms of the surrogate program. Of course, the candidate then, president now, did not have a lot of relationships in Washington. So it was up to us to establish a lot of those relationships, introduce him to members of Congress from around the country that would ultimately be very important in the campaign and in the rallies that that the president has come to rely upon so heavily. In 2020, I've consulted with the campaign and I'm still very close to the White House. We have seven days left in this campaign season in the United States. We think. It may lead to eight, but but next Tuesday, everyone says we're going to participate in one of the most important elections, if not the most important election, in American history. The funny thing is, in 2016, everybody said the exact same thing, and they probably said so four years before that and four years before that. But there are some really significant differences this year. It's been a summer and fall of unrest in the United States. The coronavirus has had an extraordinary impact. Over two hundred and twenty

five thousand Americans have died. We've had significant social unrest, economic unrest, racial unrest. And I think there's a lot of unknowns there in terms of what will happen next Tuesday. What we have seen is early voting in the United States. We have processes that allow people to have started voting in mid-September even. Early voting is higher than it's ever been. And both sides invested significant resources and money, which drives American politics as it does worldwide, in their early voting campaign processes. So early voting numbers are very, very high. They'll continue through this weekend in many states and then they'll close. And then it will be up to what happens on Tuesday. So we expect long lines across the country next Tuesday. I've already voted. My colleagues have probably already voted as well to save us having to wait in those lines next week. Of course, the popular vote in the United States, we've come to learn, really does not matter. The popular vote does not dictate the winner of American elections at the presidential level. What matters is our unique college, if you will, called the Electoral College. Each state has a number of members of Congress based on population, plus two U.S. senators. So every state has one Electoral College vote representing their House members and their two senators. So there's 538 total Electoral College votes. To win, ~~the~~ President Trump or Vice President Biden needs 270 of those. So there are a number of ways and a number of ways you can put a map together to win the states necessary to give you 270 electoral votes. In 2016, President Trump actually won three hundred and six electoral votes. So we had a 36 electoral vote cushion, if you will. So he didn't need to win every single state that he won. And that's important for 2020. In some of the key states that we won in 2016 -- Michigan, Wisconsin -- the president is trailing by a number that, I think even the campaign would admit today, is a little outside their comfort zone. Now, the president under-polls, that's a fact. Dating back to the 2016 primaries against a number of Republican candidates in the primary states, the president under-pollled and yet still became the nominee because he got more votes on the election days than the polls said that he would. That happened again in November of 2016. He under-pollled in many of these states and hence the surprise victory, if you will, in 2016. The president is polling better against Vice President Biden than he was against Senator Clinton at this time. In recent polling in a couple of key states, including Florida, two polls of extraordinary significance, the Rasmussen and Susquehanna polls, show the president up four in Florida. Of course, Florida, the Cuban-American vote. And this year, the Venezuelan American vote has received extraordinary attention from the campaign. The president's taken a very strong position on Venezuela and Venezuelan Americans seem engaged and supportive of the president. The other Latin American is the Puerto Rican vote in Florida. It will play a key role in the eye for. But the president's up four in Florida in those two polls. The Trafalgar Poll in North Carolina, the only poll in 2016 that had President Trump winning was the Trafalgar poll, and he's up three in North Carolina. That's another one of those key swing states. So if you look at these toss up states there, Florida, Georgia, Iowa, North Carolina, Georgia is very close to a traditionally Republican state. Iowa has been a traditionally Republican state. In Ohio, a Fox News poll, which, while the network favors Republicans and conservatives, their polling actually leans Democrat. And the Fox News poll has the president up three in Ohio. Now, that's a more narrow margin than he had in 2016, but you only got to win by one. So in some of these states, in the toss-up column, they're certainly leaning towards the president. I think the president has captured enthusiasm across a lot of these states. He's doing three and four rallies a day to try to catch up. And it's going to be an incredibly competitive and contentious seven days between now and next Tuesday. The Biden Harris campaign is also on the road. I saw Vice President Biden was in Georgia yesterday. Senator Harris was in Michigan earlier this week. So both campaigns are engaged in rallies. They're both very engaged in the door to door and the grassroots campaigning and the advertising. You cannot watch TV in America right now without seeing a political advertisement, especially if you're in one of those toss-up states. The lean Republican

state, I will say this, Texas, it may be closer than it traditionally has been, but I spoke with folks in Texas and Texas politics yesterday, and they firmly believe that, I think as much hope as the Democrats harbor to be able to pick off a state like Texas, a true Republican state like Texas, I don't think 2020 will be the year for that. Jim, did you want to add anything from the Biden campaign perspective or the Democrat side?

Jim Davis [00:10:01] I do, Scott. Thank you. Let me make a couple points. Scott's covered the numbers that you have on your screen and we'll make this available to you all after the presentation. If you just take the likely Democrat and solid Democrat, it gets you to 232, and the magic number's 270. I think it's fair to say that Joe Biden right now has more likely than not got half the lead Democrat. So he is within striking range, now, depending on how reliable the polls are. The issue with the polls is predicting turnout. That was the problem in 2016. One of the things you could do to judge where the campaign is going to close is where these candidates spend their time. Ironically, both President Trump and Joe Biden will be in Tampa, Florida, tomorrow. Many of us live in Tampa and commute to D.C., and ~~we will be with~~ some of us will be with Joe Biden tomorrow. And Florida is a dogfight, as Scott mentioned, and it's probably a one-point race. It could go either way. That's why they're both here. Scott's also correct that the Cuban vote is being fiercely contested on a retail level in Miami and Tampa, as well as the Puerto Rican vote, which is probably more a function of whether folks from Puerto Rico who are now U.S. citizens come out to vote as they vote so heavily on the island, and the Central and South American vote as well. Joe Biden is doing well because of the COVID and the concern that older seniors have in Florida and around the country who typically vote Republican and voted for Donald Trump the first time. And that's why Joe Biden is on offense when he's campaigning in Florida, because Biden can win the election without Florida. But Donald Trump cannot. A couple other things and then we'll move on to a more detailed discussion. One on process, as Scott was alluding to, the fact we don't know when the election ends. For those of you who are following this closely, one of the reasons Michael Bloomberg put \$100 million into Florida, on top of the Biden campaign, it's no secret that the Biden campaign strategy is to try to win Florida on election night. Unlike some of these other key states, in Florida, the votes will be announced on election night almost entirely. They'll be counting shortly. And if Biden is announced as the winner in Florida, it probably brings the election to close. If Florida's too close to call, or if Trump wins Florida, then we and perhaps those of you who are watching, and let us warn you, this will not be easy to watch, we'll see a painstaking process with those those other critical states, all of whom have different rules about counting ballots after the election is over. So if Biden wins Florida, which we may know, if it's not exceedingly close by about, I'd say 9:00 p.m. Eastern Standard Time on Tuesday night, the election's over. Otherwise, it could be a bit of a long wait. Before we go to Nasim and Francisco, I just want to make a couple of broad points about Joe Biden and who I served with in Congress. One is, if he wins, just as President Trump would, he will be inheriting a mess in terms of the COVID, which we know is afflicting your countries as well and the economic detriment that goes with it. He is already working, if Joe Biden's elected president, on an infrastructure bill, which will be a massive investment in United States infrastructure, including some provisions that we can talk about more in detail. You can also safely assume that Joe Biden will do a 180 in terms of reengaging globally, including multilaterally, whether it's the World Health Organization, the WTO, the EU, with many of your countries. He will be more active and engaging because that's his history and that's his personal opinion about where the present United States needs to go. The last is, on trade, I would just generally say that what you would see from by a Biden administration is a more strategic approach to trade issues, whether it's the implementation of the USMCA or other agreements, as opposed to what I would describe as a more tactical approach the

president has taken. But trade will continue to be a difficult issue under either candidate. So that's all my comments for now. Look forward to your questions.

Francisco Sanchez [00:14:26] Thank you very much. Scott, you didn't get a chance to comment on some of the policy priorities in a second Trump administration. Jim took the initiative to talk about some of the issues that a President Biden might focus on. Do you want to comment on any of those?

Scott Mason [00:14:45] Sure. Yeah, happily. You know, if you if you look back to the 2016 campaign, there were four or five key issues that the president hammered home on an hourly basis, on a 240-character tweet or Twitter basis, and one was tax reform. I think you'll see the administration, they were extremely successful in tax reform the first term. I think you'll see a continued focus on additional corporate and individual tax reform going forward in the second term. I think Jim is right. I think the other thing that the president talked a lot of in 2016 that has not yet come to fruition is that big infrastructure package. And that is something that I think is certainly on the table for the second term. And it's also probably about the only place in Congress that we'll see some bipartisanship. Democrats and Republicans recognize the need for an investment in infrastructure in the United States. Roads, bridges, rail, airports, ports, whatever the means of transportation and movement of goods may be, I think both parties recognize the importance of that investment. I think in the second term, immigration will continue to be a focus of the administration. I'm not sure they've they really landed where they want to be, and I'm not sure where that is. That's sort of a moving target, but I think he's also right on trade. There probably is a little bit of a difference between Vice President Biden and President Trump on trade. President Trump's certainly in an America-first mode. Bilateral agreements, as we saw with Korea and Japan and several other countries during the first term, I think will remain a focus in the second term and not so much reliance on the multilateral agreements. So with that, let's jump ahead one slide, and we'll real quickly move through the House and Senate.

Scott Mason [00:16:51] We also have 33 members of the Republic of the U.S. Senate up for reelection next Tuesday and, of course, all 435 members of the House of Representatives. The Republicans currently hold a 53-47 balance of power in the Senate. The importance of that was highlighted last night with the confirmation of Judge Amy Coney Barrett to the United States Supreme Court by a vote of 52 to 48. One of the Republican senators up for reelection, Susan Collins from Maine, actually voted against her. Senator Collins is an extraordinarily moderate member of the Republican Senate, and she's also in an incredibly competitive race. So that's probably a prudent vote on her part to try to hold on to that seat. There are certainly easily six to 10 U.S. Senate seats that are highly competitive, many in the same states as we saw in the president's toss-up category, Arizona, North Carolina. Georgia actually has two races this year. So the impact of the down-ticket vote, you know, is going to weigh heavily in those Senate races. So we can expect those to last well into the evening. Democrats only need to pick up three seats. We have had a 50-50 balance of power in the Senate before, under which circumstances the vice president of the United States is the tie-breaking vote. But it's difficult to manage the Senate under that scenario. It's been done in the past. It's not easy. And I think either side would probably prefer a 51-49 versus a 50-50. Next slide, Jackie.

Scott Mason [00:18:42] Here are some of the competitive Senate races. Colorado, competitive at the presidential level. Georgia, North Carolina, Iowa I mentioned as well, Maine. So the yellow states are really the states that are probably most likely in play. Republicans are expected to pick up a Senate seat in Alabama. It's currently held by a

Democrat that won a special election after Senator Sessions became the attorney general. It's unlikely he'll hold that seat. But Republicans will need to have a good night to hang onto the U.S. Senate. A number of competitive races will also be impactful to the presidential race and vice versa. Jackie, next slide.

Scott Mason [00:19:30] The Democrats do have the majority in the House of Representatives, Speaker Pelosi in all likelihood. I can't foresee a scenario under which the Democrats lose the majority in the House of Representatives. Jim and I probably agree on that. Speaker Pelosi has announced that she will serve another term as speaker. Assuming they hold down the majority, I think that's a safe assumption. Maybe a pickup of a few seats on the Democrat side. But I don't know that anybody foresees a wave of Republican losses or Democrat pickups. Most of the House is pretty predictable. And again, there's probably maybe 20 to 25, 30 seats that are really, truly in play in any presidential year. So we'll see what those hold for next step next week. Jim, comments on the House?

Jim Davis [00:20:25] Thanks, Scott. The house is the easiest one to predict here. I would like to comment further, having served with Speaker Pelosi and many of these members, that I don't think the House is going to change dramatically in their political approach, including on trade issues. I think Speaker Pelosi believes in the United States engaging with the world. She was very committed to USMCA. She thought it was very important to the future of the U.S.-Mexico relationship, a healthy relationship, to get that agreement signed, and I think that general approach will continue. Under a President Biden, there will be an ongoing struggle which will become more public between the progressive ring and the more moderate wing, which Joe Biden comes from. But I would expect Joe Biden to have his way and that Speaker Pelosi would work with him on that. So President Biden would have a strong and effective partner in the U.S. House. Scott do you want me to comment on the U.S. Senate as well, since you briefly touched on that? Go ahead. This is actually very critical. And I think we went to race and race, race by race. Scott and I would come out pretty much in the same place. It's too close to call. But if Joe Biden wins, more likely than not, you have a Democratic Senate, but it could be exceedingly close. It is a very significant fact, because if a President Biden has a partner, not just in the House, but in the Senate, then his agenda, whether it's on trade or infrastructure, dealing with climate change, will be a very vigorous and expedient agenda. I would add that we're not sure yet how the Republicans will respond to a Biden presidency, whether there'll be a level of cooperation. But certainly Joe Biden knows how to work with U.S. Senate.

Francisco Sanchez [00:22:23] Jim, thank you very much, and Scott, thank you. A couple of you, before I turn it over to Nasim, a couple of observations on what we're seeing in early voting and how they could impact the presidential race as well as congressional and Senate races. One of the things that seems to be very different this year is the number of young voters that are voting. By young, I'm referring to voters between the ages of 18 and 29. And to just give you context, I won't go through every state, but a few interesting ones, starting with Florida, because it's so important, in 2016, the number of early voters that were in this age group of 18 to 29 was approximately 134,000 about eight days out. Eight days out in this race in Florida, they're about 433,000 young voters. So for a demographic that is often missing in action, they seem to be very engaged this year. Another area that's worth noting is the Hispanic community is going to play a pivotal role in a number of states, including Florida. Joe Biden seems to have lost a little bit of support in the Hispanic community, particularly in Miami-Dade. But he seems to be picking it up, potentially, in other demographics. And one of those is white voters over the age of 65, which have historically voted Republican. And while I believe President Trump continues to have an

edge there, it's a much narrower edge than he had in 2016. Another group to look at is women voters in general. They, too, seem to be moving significantly in the direction of Vice President [Biden]. So as you as you look at some of the analysis, I would suggest to you that those voting groups are worth watching, particularly in this early voting period.

Francisco Sanchez [00:24:45] Let's shift now from the upcoming elections to what trade policy might look like in 2021 under either a Trump administration or a Biden administration. And to open up that conversation. Let me turn it over to Nasim.

Nasim Fussell [00:25:06] Thank you, Francisco. Thank you, Scott and Jim, for touching on this a little bit already. You left it in a good spot for me to pick up. As Jim noted, there was a lot of expectation that trade policy is not going to shift seismically under a potential President Biden. The expectation largely is more that the strategy will shift. And I would agree with that. By and large, the measures that President Trump has implemented and actions that he has taken in his first term will be very difficult for Biden to undo quickly, or at all in some cases, if he wins the election. On the issue of tariffs, there's actually not a whole lot of disagreement, at least in Congress, between Republicans and Democrats, that Congress should have a bigger role in this discussion. And this has been a discussion that's been alive and well since President Trump took office, particularly when it comes to Sections 232 and 301. That said, even knowing that there are some in his party that have been frustrated with the approach taken toward the implementation of tariffs, if Biden comes in, he is also well aware that there are strong constituencies, progressive constituencies, that are very supportive of these tariffs. And as they say, once the genie is out of the bottle, it's hard to put it back in. And in this case, I think that is very much true. So if you pair that with the fact that Biden is likely to come in and take his time, both from the standpoint of needing some time to nominate and have confirmed his Cabinet members and deputies, and then time for those individuals to really think through what the strategy is going to be. There isn't endless time. But historically, we have seen a new administration coming in that, in the trade space, they do tend to take their time both in getting the House full with folks who will be working on these issues and rolling out and implementing an agenda item. Biden has also said that he plans to focus on domestic issues, if elected, early on. So we don't expect a lot of drastic change on the specific policies, certainly not on tariffs. We also do not expect very quick action on any of these issues.

Nasim Fussell [00:28:07] One area where there is likely to be bipartisan agreement or willingness to work together in addition to some of the issues, primarily infrastructure, that were noted earlier, I believe that there will be one piece in trade, two actually, where we may see that as well. One is on China. I think whether we have Trump or Biden as president, there is going to be a broad sense that we need to continue dealing with China. Certainly from Congress and from the business sector. In Congress, there has been frustration with the tariffs. And the reason for that is that members of Congress hear from constituents who do not feel, who do not agree with the perception that China is paying these tariffs. So members of Congress, both Republican and Democrat, have been hearing from constituents who feel this way for several years now. The issue is that they also agree that we need to be tough on China. And this is not a Republican thing and this is not a Democrat thing. So I think you would expect that, whoever our president is next year, that this is going to be an issue that the president is going to remain tough on, whether it's Biden or Trump and that Congress will remain very committed to doing something about, and probably in partnership with whoever our president may be.

Nasim Fussell [00:29:39] Another area is USMCA enforcement. And this is something that, of course, the Trump administration renegotiated NAFTA and worked with Mexico and Canada to put this agreement into place. But this has been, as Jim noted, something that Speaker Pelosi was very committed to, that many Democrats in Congress are very committed to, and I think enforcement is going to be something that you're going to see Republicans and Democrats in Congress continuing to push hard, regardless of who our president is going to be next year. Of course, if President Trump is reelected, he's going to have a deep vested interest in making sure that this agreement is working how he intended it to. You can expect strong enforcement there and attention to the agreement and ensuring that it is working for the United States. If Vice President Biden is elected, as president, he is going to, as Jim noted it as well earlier, really have to work closely with the multiple factions within his party. Progressives are now, and we expect to very much continue, pushing for strong enforcement of the labor provisions within USMCA, the environment provisions. And then more broadly speaking, Congress on a bipartisan basis is going to continue hearing from constituents and pushing various other issues as well for enforcement.

Nasim Fussell [00:31:12] There are a couple other areas that I'll just touch on briefly, we talked a bit about tariffs and USMCA and China. I think those are going to be the big issues. But just on Latin America for a moment, earlier this year, I believe it was early August, the Trump administration rolled out a strategic framework on Latin America. And this was something that they got a bit the beginning of the administration as well. It covered a host of issues. It was not trade-specific. However, there is a critical angle here that I think is something we can continue to watch for if Trump is reelected, which is the focus on China. There's been a lot of criticism that the Trump administration has taken unilateral measures on China, has abandoned our allies, and is not working with the global community or multilaterally to address our shared concern with China. It's interesting in this framework, however, the numerous references to needing to work with Latin America to deal with China. So, numerous references to partnership across a plethora of issues, including immigration and security, in order to also strengthen the relationship with Latin America to together deal with China. So a bit different than what we've seen in action in terms of measures for addressing China from the Trump administration. But it's not just happening with Latin America. In the past few months, the Trump administration has also struck a partnership with the European Union on China to have a shared vision toward Beijing. I think if you have a President Biden, that he is going to take a similar approach and be very targeted and in doing so on the campaign trail. We have heard his advisers say numerous times over the course of the last few months that, with regard to China, we are going to take a shared approach and work with our allies. And so I think you can expect to see a partnership that Biden will try to really foster and nurture, if he is elected, with Latin America and other regions of the world to together deal with China. And I'll wrap up there. I'm sure we'll get questions on this topic, and I'm happy to take it then.

Francisco Sanchez [00:33:51] Nasim. Thank you very much. I'll just add Nasim's comments, a recurrence in her comments about the approach, under a Biden administration, it would be one that would seek to confront some of the trade challenges, come more collaboratively with like-minded countries that would include countries in Latin America in confronting China. I can see a Biden administration working closely with Europeans, countries in Europe, Japan, South Korea on the longer range issue of technology development, which is of great concern not only to the United States, but all countries that have invested in that space. I'd like to, I notice that we're down to about 20 minutes, so I'm going to push and try to go to the questions that we have.

Francisco Sanchez [00:34:59] And let me let me send this first one to Nasim. This is a question focused on Mexico. And Nasim, you answered this generally, but this one has a very specific focus on energy. And the question is, under either candidate, Biden or Trump, how would U.S. actions toward Mexico's president, the Mexican president's attacks on both energy renewables and conventional contracts, in particular with U.S. companies, how would the administrations respond to this under the new trade agreement?

Nasim Fussell [00:35:44] I think is something that this administration is currently looking closely at, and has already, and will continue to do so. Hearing a lot from stakeholders and members of Congress already on this issue. And I believe that a potential Biden administration will have to do the same because of that pressure from Congress and stakeholders. What's interesting is that there's a lot of motivation we're seeing among the business community, including the energy sector, and really bringing these issues to the forefront before USTR quickly and strongly. I think a great deal of that energy is coming because of the fact that the dispute settlement is something that is seen as an actual opportunity for resolving disputes in USMCA versus the situation that we had in NAFTA, where you had the ability to, quote unquote, "block" a panel. Panel blocking was a significant point of criticism on NAFTA within the United States and within Mexico as well.

Francisco Sanchez [00:36:58] Nasim, I'm getting some feedback from some of the attendees, and I noticed as well, that you fade in and out. So people are having trouble hearing you. I don't know if you can adjust your volume.

Nasim Fussell [00:37:12] And yeah I can try to do that. If you'd like to come back to me with another question, hopefully by then I will have it resolved.

Francisco Sanchez [00:37:22] OK, I'll take the next question. One of our attendees is just giving us breaking news that the U.S. will not join the consensus on the WTO's new general director appointment. The question would be, well, what would be the U.S. approach to the WTO under a Biden administration? I'll comment and invite Nasim and others to comment as well. Vice President Biden, if you look at his more than 40-year career in public service, he's always favored multilateralism, and I think that would include supporting the WTO. I believe he would support it with a strong call for reform. So not taking business as usual, but he would be supportive of making sure the WTO is an important part of a rules-based trading program worldwide. So I think you would see a different approach to the WTO than the Trump administration has exhibited over the last three and a half years. Nasim, Scott, others, would you care to comment on that question?

Nasim Fussell [00:38:41] Can you hear me better? No?

Francisco Sanchez [00:38:47] It's not too much better. I can hear you, but it's not loud.

Nasim Fussell [00:39:00] Well, I'll just hand it off to Scott then.

Scott Mason [00:39:01] I think Francisco the only thing I would add is that, your assessment of Vice President Biden's approach to trade and multilateralism is spot on. Obviously, in the past four years, President Trump has not been a willing participant in a similar manner in bilateral agreements. I saw the WTO announcement of the Nigerian, I think, nominee earlier this morning. And, you know, it does not surprise me that the Trump administration quickly came out and criticized the appointment and announced their unwillingness to participate. I think that's in line with their approach to trade for the past four years. And I assume it would continue in the next four years.

Francisco Sanchez [00:39:51] Jim, do you want to come in?

Jim Davis [00:39:53] I just want to say that we know from Joe Biden's history that his greatest passion is foreign relations, and it is his expertise. As vice president, he did a lot of that work for President Obama. For those questions that are being asked about the Biden foreign policy, I think the most important thing to watch is who he appoints in those positions. And I think you will see people that have a long history and skill set of working with other countries on various issues, whether it's climate or the WTO. A President Biden is going to be totally consumed in dealing with what needs to be done as the COVID numbers start rising in our country and yours. So I think the people he appoints in the State Department, the National Security Council, will be the folks to watch, to see what message is coming from this administration, how quickly they're going to engage.

Francisco Sanchez [00:40:46] Jim, let me let me throw another question your way. This is from one of our attendees. The question is, what will the Democrats' vision of the state of human rights violations and human rights issues in Latin America be? That's one question. The second question from the same attendee is what is the current thinking on COVID-19 financial relief and support to Latin American countries?

Jim Davis [00:41:18] Well, let me start with the first question. I think one of the most outspoken supporters of human rights is the speaker, Nancy Pelosi. She has a history of being very active on those issues, whether it's China or other countries. For her, it is a universal right and a priority, including for the United States foreign policy. And so I would expect that to be an issue on which there will be a lot of focus. It is obviously a balance. With respect to the COVID, I think, given the nature of this disease, which knows no national boundary, I think that a President Biden will be very focused on how we should be working with our neighbors in other countries with whom there is travel, and we'll be resuming travel. I don't know what the Trump administration has done on that or exactly what a President Biden will inherit. But I am certain that that will be a focus of his: working together with our partners, whether it's the vaccine or the distribution or testing, and also doing so in a way that allows us to return to some level of normalcy in terms of travel and commerce. One other point, Francisco, I think since this summer, the Biden campaign set up a separate operation that has been preparing, in the event he wins, to govern, and the COVID has been a number one issue. So there has clearly been a lot of time and energy invested in policy, at I'm sure a global dimension, with respect to what a President Biden would do. So, in the event he wins, very soon I think you would see him starting to talk very forcefully and specifically about his plans for president with respect to COVID, including globally. We obviously will be in a transition between November and January in which a president like Biden is not the president. And in the past, having served with the Clinton-Bush transition, that can be a smooth transition. We cannot assume this will be a smooth transition if Joe Biden wins. But I think there'll be a number of people in the Trump administration and Congress that will do their best to make that happen.

Francisco Sanchez [00:43:30] Thank you, Jim. Scott, you want to add anything to that question?

Scott Mason [00:43:38] I mean, I think Jim's right, I think, you know, depending on the results of the election, I'm confident that there'll be enough people across the Trump administration to work with the incoming Biden transition team on a smooth transfer of power.

Francisco Sanchez [00:43:55] Nasim, have you got the volume fixed there, do we know?

Nasim Fussell [00:44:02] Well folks, I don't know. I apologize immensely for this. I'm shouting in the office, so if anybody is here, they can probably hear we down the hall.

Francisco Sanchez [00:44:14] We actually can hear you pretty good now.

Nasim Fussell [00:44:14] Great. Well, I fiddled with some things and I don't know what it was, but I'm glad to hear that I'm back. If I could just take it back to the WTO question for a moment, because I really did want to comment on that. Francisco, you and I actually did a webinar together last week where we were talking a bit about what the approach to the WTO would look like under a second Trump administration. And I said at that time that before any of these specific reform issues and the administration's approach, I would look first and foremost to whether the United States backs the WTO director general. Right now, what we've seen is that the United States is threatening to veto. And because this has been done by consensus, that is a pretty significant issue because it would prevent movement forward at a time where the WTO has had a significant impact already. So I'm disappointed that this is coming to fruition and so quickly, but there's still time. The expectation is that an announcement will be made next week, coincidentally after the U.S. election. So I'm certain that there will be significant, intense discussions underway. I have to say, though, at the same time, I'm not surprised whether they're even considering whether this move has been taken by the United States precisely to create a new task. I have to say that I'm not surprised that they are backing the South Korean candidate. But just to be fair, she is a very strong candidate. She is very... Let me put it this way: She has more experience specifically in trade issues, and so this is something that, you look at it that way, well, it makes sense from the perspective of the United States. At the same time, you know, we need to move forward and we need to be able to make progress, and that should happen under either administration. So hopefully we're able to move here and get to a resolution.

Francisco Sanchez [00:46:37] Thank you, Nasim. I'm going to shift away from trade for just a minute. There's a question here that is very valid given the age of both the presidential candidates. The question is, and I'm going to address this first to Jim and then to anyone else on the panel that would like to comment. If Vice President Biden is elected, and God forbid, I'm quoting this word for word from the question, is unable at some point during his term to continue, how different would a Kamala Harris presidency be from a Biden presidency, and in particular with respect to Latin America and trade policy? So let me start with Jim, and then let me take it to Nasim since it has a trade component to it.

Jim Davis [00:47:34] So, a difficult question. Of course, I have to start by saying that I have not met with President Biden in a few months, but I'm talking to people who are with him. And he is as healthy as a horse right now. I think what is probably more likely is you would not see a President Biden traveling as much. The COVID would be the principal reason. And I think that's why who he appoints to these positions becomes incredibly important. I would also add just on that point as well, given that he has existing relationships with so many heads of state and senior officials, communicating with people in the way we're communicating now I think will not be as difficult for him because there already is a personal relationship. Now to the more difficult part of the question. I think in the event that a President Biden contracted COVID or was sick or incapacitated, I think this administration would continue as it's being set up. He picked Kamala Harris, the vice president, because he believes that she can rise to the occasion if and when needed. But the key is putting together the team, and this will be a team operation. So I guess I have to

say, I think the chances of something happening to Joe Biden as president are very slim. But I do think it will be a partnership, and I think that she will be very much a part of carrying out his wishes and in his first term. I think the other related question is whether Joe Biden would serve a second term, and I think that's a conversation more reserved for later.

Francisco Sanchez [00:49:09] Nasim, anything you want to add to that?

Scott Mason [00:49:13] Yeah. Let me just...I might differ from Jim a little bit, and I think that if Vice President Biden were to win, I think a vast swath of the country, Republican part of the country, would pray for him daily to serve out his term, because I think a then-vice president Kamala Harris is infinitely more progressive, infinitely more liberal, than a President Biden would be. And Jim alluded to it earlier, there is a progressive liberal wing of the House of Representative, and to a degree in the U.S. Senate on the Democratic side as well, that is pulling that party farther and farther and farther to the left. That is undoubted, that's inarguable. And I think they would find a much friendlier audience with a President Harris than they would a President Biden. So yes, I think I'd like to believe that Jim is right, that the partnership would endure and it would carry on as he hoped the administration might carry on. But I think the reality is that the progressives and the ultra-liberals on the Democrat side of the aisle would be, not regarding the demise or or infirmity of Mr. Biden, but at a Harris presidency, they would be almost gleeful, I think.

Jim Davis [00:50:47] Francisco, I want to respond to respectfully disagree with Scott, but I think he's hit on a very critical point, which is if you watch cable news, you'd be tempted to believe that the progressive wing of the Democratic Party is approaching a majority their side. That is not the case. I know for a fact that's not the case in the House of Representatives, and I don't believe it's the case in the U.S. Senate. However, I think what is correct is the country is moving in a direction where there's an expectation that the federal government plays a more active role. Healthcare is the best example of that. We've had a debate in this country about whether the federal government should step in to encourage states to provide healthcare for those people who simply don't have healthcare or end up in the emergency room, and I think the COVID has underscored a broader sense of urgency and support for the federal government to more actively support Obamacare and the public option that Joe Biden has been discussing. That is an incremental step. Climate change is another example, and it's actually an issue where Democrats and Republicans are starting to come together. We should point out to you that the infrastructure package I mentioned to you that I think President Biden would pursue would have a heavy climate change dimension to it. And as you've watched in the waning days of the campaign, I think Joe Biden is painfully aware that, to protect workers and their livelihood, that there's a need to balance protecting their jobs and conventional energy sources with the transition to renewables. But clearly, there would be a transition underway. And the last issue is income inequality. Many of you all are from countries where this is an even more compelling issue than the U.S., but statistically it's become a major problem. It's been exacerbated by technology, exacerbated by the COVID, and, many people believe, exacerbated by trade as well, unfortunately. So I think that the agenda and a Biden presidency, to Scott's point about the progressive elements, would be to address income inequality as well as climate change as well as healthcare. I think that those are three of the top parties in a Biden administration.

Nasim Fussell [00:52:51] I'd like to also comment on this from a trade standpoint briefly. So one observation, you know, on that point Scott made about Kamala Harris being significantly more progressive, that is certainly true on trade thus far. In fact, she was one

of the Democratic senators who voted against USMCA specifically on the grounds that it did not go far enough on labor and environment. And that was her position when she was a candidate for the Senate on the TPP as well. However, my observation, for what it's worth, is that we have seen this historically before. Then-Senator Obama, I would say, it was one of the more progressive as well. On the campaign trail, he said that he was going to pull us out of NAFTA, that it was not a good deal, and that it wasn't doing enough for workers. Not only did he not do that as president, he, in fact, went and negotiated the TPP. So, you know, for what it's worth, I think what we see sometimes from candidates often, as well when they're in the Congress, it doesn't always come to fruition exactly as they want when they when are president. And I think that is due largely to the pressures they face once they're in office. It's, historically at least, I know some may take a different view of this, it isn't a monarchy here. And so you have to work not just with the Congress, but you hear from stakeholders, and ultimately views that were held at one point early on in a career may have to change by virtue of being able to do business and work with the crowd. So I'll just share that, you know, Kamala Harris has certainly been more progressive on trade and downright oppositional at certain points, but I wouldn't put it out of the realm of the possible that that could change because it simply has to, if she were put in the role of taking on the presidency.

Francisco Sanchez [00:55:06] Nasim, thank you. A robust discussion on what a potential President Harris might be like from three of our panelists here. We're about out of time. There were a few more questions, and I'm sorry for those of you that we were not able to get to your questions. On behalf of this panel, let me say thank you so much for joining us today. We hope you found this useful and informative. One of the attendees asked if we could send the slides that were presented, and Jackie, it's my understanding that we can do that, at least I hope that we can.

Jackie Williams [00:55:48] Yes, they'll be made available after the program.

Francisco Sanchez [00:55:51] Great. So everyone, have a terrific afternoon. Thank you again, and stay tuned. There's going to be a lot of interesting activity over the next six and a half days. Bye everybody.