

The Electoral College will vote on December 14, President-elect Joseph Biden, Jr. will receive 306 votes to President Trump's 232—nevertheless, Trump continues to question the election with unsubstantiated claims of fraud. Run-off elections in Georgia in January will determine who controls the Senate. President-elect Biden has announced key staff. The United States is seeing the pandemic accelerate in all parts of the country, but there are positive developments on vaccines. The 116<sup>th</sup> Congress is coming to a close with a number of critical items that must still be addressed.

### *The Electoral College Decides, the Transition Begins*

December 8 was the deadline for resolving election disputes, state recounts and court contests with the Electoral College set to vote on Monday, December 14. Joseph R. Biden, Jr will receive 306 Electoral College votes (barring any [faithless electors](#)), well above the 270 needed to win and the same amount of votes Trump received in 2016. Biden also received over 80 million votes, far exceeding the total of any previous presidential candidate. Just before Thanksgiving, the [General Services Administration recognized Biden's win](#), thereby allowing the President-elect's team to receive public funds, intelligence briefings, and access to federal agencies. Trump also stated that he would leave the White House if the Electoral College votes for Biden, but he continues to question and contest the results and spread conspiracy theories.

### *Moving Out, Not Moving On*

Trump continues to make unproven and baseless allegations against the election results—claiming that that letter carriers, Dominion Voting Systems, Republican officials and mail-in ballots were all to blame for his defeat. Members of Trump's legal team have [put forward far-fetched conspiracy theories](#), asserting that that “communist money,” the late Venezuelan president Hugo Chávez and a manipulated computer algorithm were all connected in a secret plot that had altered potentially millions of ballots and stolen the election. Trump's legal challenges have stalled as court after court, including before judges he appointed to the bench, reject his legal team's attempts to overturn the election. Trump indicated in an interview with Fox News' [“Sunday Morning Futures”](#) on November 29, his first interview since Election Day, that nothing will dissuade him from his belief that he won, even as his lawsuits fail. Trump shows no indication he will concede, signaling he was hopeful his case would go to the Supreme Court. Given the failure of his legal efforts thus far—[losing suits filed](#) in Michigan, Georgia, Pennsylvania, Arizona and Wisconsin—it is highly unlikely that the Supreme Court will hear any challenges to those rulings. [Trump's own Justice Department](#) also found no evidence of voter fraud. Nevertheless, there may be one last opportunity for President Trump's allies in Congress to challenge the results of the election. It is up to Congress to certify the results of the Electoral College on January 6—and federal law gives individual members of the House and Senate the power to challenge the results from the floor. This is a [rarely used mechanism](#) and is almost certain to be more of a spectacle than a solution.

### *Georgia on my Mind*

The January 5 runoff elections in Georgia will determine which party controls the United States Senate. Republican incumbent Senator Kelly Loeffler will face off against her Democratic challenger,

*The Council on Foreign Relations takes no institutional positions on policy issues and has no affiliation with the U.S. government. All statements of fact and expressions of opinion contained herein are the sole responsibility of the author. This newsletter was produced on Wednesday, December 9. Developments after that date will be covered in the next issue of **The Real Deal**.*

Raphael Warnock, while incumbent Republican Senator David Perdue is being challenged by Democrat Jon Ossoff. The race has drawn a great deal of attention, and [money is pouring into Georgia](#) with spending totalling more than \$2 million a day in TV and radio ads and over \$325 million has been booked in the run-up to January 5. Democrats are hopeful after President-elect Biden became the first Democratic presidential candidate to win the state in decades. Republicans are fiercely defending the state, hoping to keep a check on the Biden administration on Capitol Hill—“failure is not an option” has emerged as the party mantra. However, divisions among Georgia Republicans have spilled into public view following the election, sparking concerns that the chaos could affect the runoffs. Both Trump and Biden will campaign in the state. Given the current composition of the Senate, Republicans need to win only one seat to maintain control in the 117<sup>th</sup> Congress.

### *The New Administration is Taking Shape*

The Biden transition team has made a number of announcements on cabinet appointments, the national security, economic policy, and health teams and senior White House posts. Biden’s chief of staff will be Ron Klain, a long-time aide and confidant who served as chief of staff during his Vice Presidency. Klain also served as the White House Ebola Response Coordinator in 2014 and 2015, and will return to the White House with direct pandemic response experience.

The national security team will feature a number of familiar names and long-time Biden associates and aides. Anthony Blinken will be Secretary of State—he previously served as deputy secretary of state, deputy national security advisor and national security advisor to the Vice President. Blinken also served Biden in Congress as staff director for the Senate Foreign Relations Committee when Biden was chair. Retired four-star general Lloyd Austin will be nominated as Secretary of Defense, the first person of color to hold the post. The Director of National Intelligence will be Avril Haines, the first woman to hold the post. Secretary of Homeland Security will be Alejandro Mayorkas, the first Hispanic to lead the Department of Homeland Security. Jake Sullivan will be National Security Advisor, the youngest person to hold the position. Former Secretary of State John Kerry will also return to service as “climate czar” and have a seat on the National Security Council. The Ambassador to the United Nations will be Linda Thomas-Greenfield, this position will also return to cabinet-level as the post was demoted during the Trump administration.

The economic team will be led by Janet Yellen as Treasury Secretary, the first woman to lead Treasury. Yellen previously served as chair of the Federal Reserve and chair of the Council of Economic Advisors. Her deputy will be Adewale Adeyemo, who served as a senior international economics adviser under President Obama and is a former chief of staff to Senator Elizabeth Warren. He will be the highest African American official in the history of the Treasury. Cecilia Rouse will chair the Council of Economic Advisors. Rouse, a labor economist, previously served as a member of the Council during the Obama administration—she would be the first woman of color to chair the Council. Biden selected Neera Tanden, president and CEO of the Center for American Progress, to be the director of the Office of Management and Budget (OMB). Finally, Brian Deese, a veteran political and economic adviser in the Obama White House and former OMB deputy director, was selected to lead the National Economic Council. These picks reflect that Biden is assembling a diverse, liberal-

*The Council on Foreign Relations takes no institutional positions on policy issues and has no affiliation with the U.S. government. All statements of fact and expressions of opinion contained herein are the sole responsibility of the author. This newsletter was produced on Wednesday, December 9. Developments after that date will be covered in the next issue of **The Real Deal**.*

leaning team of longtime Democratic figures to guide the country out of the pandemic-induced recession.

Biden's health team will be led by California Attorney General Xavier Becerra, who will be nominated as Secretary of the Department of Health and Human Services (HHS). Dr. Rochelle Walensky, the chief of infectious diseases at Massachusetts General Hospital, has been selected to run the Centers for Disease Control and Prevention (CDC). Dr. Vivek Murthy will serve as surgeon general, a post he previously held during the Obama administration. Jeff Zients, former director of the National Economic Council, will serve as coordinator for the coronavirus response, and Dr. Anthony Fauci will serve as Biden's chief medical adviser.

The face of the White House will be a collection of very experienced press and communications professionals—and they are all female. Serving “at the podium” as press secretary will be Jen Psaki. Psaki has a wealth of domestic and international policy, politics, and messaging experience having served as spokeswoman for the State Department and White House communications director. Kate Bedingfield will be communications director, she was deputy campaign manager and served as communications director for Biden while he was Vice President. Symone Sanders will be senior advisor and chief spokeswoman for the Vice President and Ashley Etienne will be Harris's communications director.

#### *A COVID Surge, But a Glimmer of Hope*

COVID-19 is accelerating across the United States—new infections are [surging](#), there have been more than 15 million cases reported in the United States and over 4 million cases in the last month. The United States is also bracing for a post-Thanksgiving surge, expected to peek over the coming days. Dr. Anthony Fauci expressed concern that Americans' visits with friends and family over the Thanksgiving holiday might lead to an additional spike in cases [“superimposed upon that surge that we're already in.”](#) As the coronavirus pandemic surges across the country, hospitals are facing a crisis-level shortage of beds and staff to provide adequate care for patients. The United States is in for a dark winter.

Despite the surge of COVID-19 cases, there are positive developments with vaccine candidates. Researchers are currently testing [over fifty vaccines](#) in clinical trials. The drug maker Moderna [applied for an emergency authorization](#) with the Food and Drug Administration (FDA) on November 30; if approval is granted, as is expected, the first doses could be available by the end of this month. New York-based Pfizer and the German company BioNTech also announced in early November that their coronavirus vaccine was over 95 percent effective—the United Kingdom gave emergency authorization to this vaccine in late November and they have also [submitted a request for an emergency use authorization](#) from the FDA. It is expected to take several weeks to review the application but, [according to initial reports](#), the FDA has confirmed the safety and efficacy of that candidate.

*Closing out the 116<sup>th</sup> Congress*

Congress faces an end-of-year crunch to deal with a number of critical matters. First, the government needs to be funded. Current funding expires on December 11. Congress is likely to pass a [stop-gap measure](#) to fund the government through December 18 in an attempt to buy more time to finish the larger negotiations. Talks are also ongoing on an additional round of coronavirus relief. A bipartisan group of lawmakers recently released a [\\$908 billion stimulus package](#) but disagreements persist over assistance for state and local governments and a liability shield for businesses. There are also [several expiring provisions](#) that need to be addressed including extending unemployment funding, sick leave, and an eviction moratorium. Finally, the fate of the \$740 billion National Defense Authorization Act (NDAA), the annual defense policy bill, is in question. The NDAA has been passed every year for the last 59-years but President Trump [issued a veto threat](#) on the measure because it does not repeal Section 230 and includes provisions calling for the renaming of military bases named for Confederate leaders. The measure [passed the House](#) with a veto proof majority and is expected to pass the Senate by a wide margin.

*Personnel Moves*

*Department of Commerce* – **Corey Stewart** is acting principal deputy assistant secretary for export administration.

*Department of Defense* – **Christopher Maier**, director of the Defeat-ISIS Task Force, was dismissed.

*Department of Homeland Security* – Trump fired **Christopher Krebs**, director of the Cybersecurity and Infrastructure Agency.

*Department of State* - **David Fogel** is the nominee for assistant secretary for economic and business affairs.

*United States Trade Representative* – **Michael O'Donovan** replaced **Christine Brown** handling technical barriers to trade, and **Neil Beck** succeeded **Cara Morrow** as director for WTO Affairs in the Office of WTO and Multilateral Affairs.

*White House* – **Alyssa Farah** has resigned as White House communications director.