

Chapter 6

The 2010 mid-term Congressional elections

What you need to know

- Congressional elections are held every 2 years.
- At each election the whole of the House of Representatives and one-third of the Senate are up for re-election.
- Senators serve 6-year terms, with one-third of them subject to re-election every 2 years.
- The senators up for re-election in 2010 are therefore those who were last elected in 2004.

Overview

The 2010 Congressional elections — to be held on Tuesday 2 November — will fall midway through the presidential term of Barack Obama, hence they are known as mid-term elections. The whole of the House of Representatives and one-third of the Senate will be up for re-election. These senators were elected in 2004, the year of President George W. Bush's re-election, in which the Republicans did quite well, making a net gain of four seats. Of these 34 Senate seats up for re-election, the Republicans currently hold 18 and the Democrats 16.

There will also be special elections in Delaware, New York and Massachusetts — all Democrat-held seats. The seat in Delaware is the one from which Joe Biden resigned after the 2008 presidential election, following his election as vice-president. The seat in New York is the one from which Hillary Clinton resigned when she was appointed secretary of state in January 2009. The seat in Massachusetts was held by Edward Kennedy until his death in August 2009. If Republican senator Kay Bailey Hutchison of Texas should resign in order to run for the state governorship, it would make another senate race. This means there could be an unusually high 38 Senate races in 2010 — 34 for a full 6-year term, two to complete the remaining 4 years of Biden's and Kennedy's terms, and two to complete the remaining 2 years of Clinton's and Hutchison's terms. Of those 38 seats, the Republicans and the Democrats would be defending 19 each.

Table 6.1 shows the losses made by the president's party in those mid-term elections which fall 2 years into a president's term of office, for such elections

occurring since 1914 — the first year of direct elections to both houses of Congress.

Table 6.1 Losses by the president’s party in mid-term elections 2 years into a presidential term, 1914–2002

Year	President	Party	Losses by president’s party in	
			Senate	House
1914	Woodrow Wilson	D	+5	–59
1922	Warren Harding	Rep	–8	–75
1930	Herbert Hoover	Rep	–8	–49
1934	Franklin Roosevelt	D	+10	+9
1946	Harry Truman	D	–12	–45
1954	Dwight Eisenhower	Rep	–1	–18
1962	John Kennedy	D	+3	–4
1970	Richard Nixon	Rep	+2	–12
1978	Jimmy Carter	D	–5	–15
1982	Ronald Reagan	Rep	+1	–26
1990	George H. W. Bush	Rep	–1	–8
1994	Bill Clinton	D	–8	–52
2002	George W. Bush	Rep	+2	+5

The table shows a considerable variation in fortunes, from the highs — Roosevelt in 1934 and Bush in 2002, who saw their party gain seats in both houses — to the lows, of which Bill Clinton’s 1994 debacle is the most recent low point. The table also shows that the Senate is generally much less prone to losses for the president’s party than is the House. Indeed, in 6 of the 13 years listed, the president’s party actually gained Senate seats in the mid-term elections, and in two other years the president’s party lost only one Senate seat. Indeed, the average loss in the Senate for the president’s party over this 88-year period is less than two seats. In only two election cycles in the last 60 years — 1978 (Carter) and 1994 (Clinton) — has that average been exceeded.

The current party balance in the Senate is 58 Democrats, 40 Republicans and two independents, both of whom tend to vote with the Democrats, giving the Democrats an effective 20-seat majority. The Republicans would need to make an overall gain of 11 seats to regain control of the Senate. This is way beyond the average, and has not been achieved since 1946. Indeed, as we shall see, the Republicans may consider themselves fortunate to make any overall gains at all.

In the House, the average number of seats lost over the same period is 27, though this has been exceeded only once in the last 60 years — in 1994. Indeed, if one takes only the period from 1962, the average falls to just 16. In the House, the current party balance is 258 Democrats and 177 Republicans. Thus the Republicans would need an overall gain of 41 seats to regain control of the House — another pretty impossible target. It therefore seems likely, at



the time of writing, that the Democrats will remain in control of both houses of Congress following the 2010 mid-term elections.

The Democrat-held seats in the Senate

Of the 19 seats being defended by the Democrats, six seem vulnerable to the Republicans. In **Connecticut**, Chris Dodd has a fight on his hands if he is to be re-elected to his sixth Senate term. Dodd has become unpopular in Connecticut for three reasons: first, the time he spent in Iowa in 2007 trying, unsuccessfully, to win the Iowa Democratic presidential caucuses; second, his close ties to the financial industry, which has become controversial during the recent economic downturn; third, a recent ethics scandal surrounding mortgages for his Connecticut and Washington DC homes. Dodd was also confirmed to have prostate cancer in 2009. His likely Republican opponent is former congressman Rob Simmons, a decorated Vietnam War hero. Simmons served three terms in the House of Representatives — first elected in 2000 and defeated in 2006 by just 83 votes. Of the four potentially vulnerable Senate Democrats, Dodd is the most at risk, but there are three other Democrat senators who could also lose their seats.

In **Nevada**, Senate Majority Leader Harry Reid is struggling to be re-elected to his fifth term. Reid was first elected to the Senate in 1986, but his first three elections — 1986, 1992 and 1998 — were all close-run affairs. Indeed, in 1998 he won only 48% of the vote against then Republican congressman John Ensign, who polled 47%. However, in 2004, against a weak Republican opponent, Reid scored a comfortable victory, winning over 60% of the vote, and he followed this with his election as Democratic Party leader in the Senate. In the same year that Reid won his 60%-plus vote in Nevada, the then Senate Democratic leader, Tom Daschle, was defeated in his re-election bid in South Dakota. When in 2006 the Democrats won control of the Senate, Reid became majority leader, a post he still holds today. In a state that voted for Obama 55–43 in 2008, Reid ought to be a shoo-in to keep his Senate seat. The trouble with being Senate Majority Leader, however, as Tom Daschle discovered, is that you are at the centre of almost every legislative battle in Washington, having to take high profile and often unpopular stands on major issues. As a result, Reid's approval rating back home in Nevada has slumped badly. The one factor that may let him off the hook is the Republicans' inability so far to come up with a strong challenger. This race could turn into a real cliffhanger. It's a race the Republicans would love to win.

Also vulnerable is Arlen Specter of **Pennsylvania**. The Democrats' newest recruit, Specter switched from the Republican Party in spring 2009, and has the backing of President Obama for re-election. However, as he tries to win re-election to a sixth term — his first as a Democrat — Specter is still likely to face opposition from long-standing Democrats in the party's April 2010 primary. Winning the Democratic primary is Specter's first hurdle;

his strongest and best-funded opponent is two-term congressman Joe Sestak. Provided Specter wins the primary, his likely Republican opponent in the general election in November will be former congressman Patrick Toomey. Toomey served three terms in the House of Representatives (1999–2005) but did not seek re-election in 2004, choosing rather to challenge Specter in the Senate Republican primary that year — which Specter won, but by less than 2%, and that only after a last-minute endorsement from President George W. Bush. Thus Specter faces something of a double whammy in 2010. It's another race the Republicans would love to win.

A fourth Democrat senator who may face a struggle for re-election in 2010 is Michael Bennet of **Colorado**. Bennet was appointed to the Senate in 2009 to complete the remaining 2 years of the 6-year term to which Ken Salazar was elected in 2004. Salazar resigned from the Senate to become secretary of the interior in the Obama cabinet in January 2009. While Bennet will benefit both from Colorado's tending towards the Democrats and from incumbency, he is entirely untested as a candidate. His re-election campaign will be his first and like Arlen Specter in Pennsylvania, Bennet will face a challenge from a fellow Democrat in the primary. Andrew Romanoff, a former speaker of the Colorado House of Representatives, was disappointed not to have been appointed to the Senate to fill the Salazar vacancy in 2009. He felt he was much better qualified than the political novice Bennet. Provided Bennet wins the primary, his likely Republican opponent in the general election could end up being the state's former lieutenant governor, Jane Norton. Republicans must retain some hope of unseating the unelected Bennet.

A fifth seat which the Democrats may struggle to keep is currently held by Roland Burris in **Illinois** — though the party's chances improved once Burris announced he would not contest the seat. Burris was appointed in 2009 by the then — and later impeached — state governor Rod Blagojevich, and has always been tainted by association with the former governor. Although the Republicans have lost 9 of the last 10 Senate races in Illinois, they see a window of opportunity opening up for them at a time of turmoil for the state Democrats. Rather than repeating their losing strategy of nominating an ultra-conservative — Alan Keyes — in 2004, Republicans hope to field a moderate, 5-term Congressman Mark Kirk, who currently represents a pro-Obama district north of Chicago.

Yet another appointed Democrat senator who is not contesting his seat is Ted Kaufman of **Delaware**, appointed in 2009 to serve in place of Joe Biden until the special election in 2010. Kaufman has announced that he will not be a candidate in that election. Should Joe Biden's son — Beau Biden — enter the race for the Democrats as expected, he would clearly have widespread name recognition. But with the popular Republican at-large congressman (1993–2010) and former state governor (1985–92) Mike Castle now running,



this could prove to be the best chance the Republicans have of picking up a seat from the Democrats. Castle has, after all, won 11 statewide elections already — two for governor, and nine for his statewide House seat, as Delaware has only one member in the House of Representatives. Many Delaware voters may react with muted enthusiasm to the idea of the Biden family seeing the seat as an inherited right.

A third Senate appointee, Kirsten Gillibrand, who was appointed to fill the **New York** seat occupied by Hillary Clinton until January 2009, may find herself ousted in the Democratic primary by former state attorney general Andrew Cuomo, son of the state's former governor, Mario Cuomo. If Cuomo wins the primary, he is likely to hold the seat against the Republican challenger — even if that turns out to be Rudy Giuliani, who at the time of writing was still contemplating a run for the seat. This is much more of a Republican long-shot — unless, that is, things go pear-shaped for the Democrats in 2010.

Thus, at the time of writing — a year before election day — the Republicans appear to have a realistic shot at two Democrat seats (Connecticut and Delaware) with a chance of gaining up to four more (Nevada, Pennsylvania, Colorado and Illinois) if things really go well for them. The trouble is, the Republicans may well have problems holding on to many of their own seats.

The Republican-held seats in the Senate

One factor which makes things difficult for the Republicans in the Senate races in 2010 is that they (at the time of writing) already have five retirees: two in states which Barack Obama won in 2008 and are therefore highly vulnerable — Ohio and New Hampshire — as well as Missouri (also vulnerable), Kentucky and Kansas. Open seats are often more difficult to defend than those in which the incumbent is seeking re-election.

In **Ohio**, George Voinovich is retiring after two terms. Ohio is nowadays the quintessential bellwether state, having voted for the winner in the presidential race in the last 12 elections — that's all the way back to 1964. Voinovich was a popular two-term governor before entering the Senate in 1998 and, without his name on the ticket, the Republicans will struggle to hold this seat. The Republicans have not fared well in recent statewide elections. Incumbent Republican senator Mike DeWine lost heavily — by 12 percentage points — to Democrat Sherrod Brown in 2006. The Republicans lost the state governorship by a similar margin in the same year. To their advantage in this year's Senate race, though, the Republicans have recruited a top tier candidate in Rob Portman, a former Cincinnati-area congressman as well as one-time budget director to President George W. Bush — though the Bush connection could be more of a drag than an asset. At best, place this race in the toss-up column, one in which the Democrats will fancy a pick-up.

It's much the same situation in **New Hampshire**, yet another bellwether state, where Republican Judd Gregg is not seeking a third term. Gregg was criticised for first accepting a nomination by President Obama to be commerce secretary in the new Obama cabinet and then, within days, withdrawing following a policy disagreement with Obama over the new president's economic stimulus bill. As a result, Gregg announced he would not seek re-election to the Senate in 2010. Republican hopes of holding onto the seat were dashed when former senator John Sununu — who lost his re-election bid to Jeanne Shaheen in 2008 — announced he would not be a candidate. The Democrat candidate is two-term congressman Paul Hodes.

Republican Kit Bond is retiring after four terms representing **Missouri** in the US Senate. Missouri is yet another bellwether state. It voted for the winning presidential candidate in every twentieth-century election bar 1956, voted for Bush in 2000 and 2004, but went narrowly for McCain in 2008. The race to succeed Bond is likely to be between two big names — former House Republican whip Roy Blunt, whose father served as the state's governor, and Missouri's Democrat secretary of state Robin Carnahan. Her father, Mel Carnahan, also served as the state governor and was then elected to the Senate in 2000. However, Governor Carnahan was killed in a plane crash. His wife — Robin Carnahan's mother — was then appointed to fill the vacancy left by her husband's death, but she was defeated in a special election in 2002 by Jim Talent, the current junior senator from Missouri. Expect a close result in this Missouri family feud between the Blunts and the Carnahans.

In **Kentucky**, Senator Jim Bunning is also retiring after two terms. Having won re-election by a razor-thin margin in 2004, many Republicans, both in the state and the in the Senate party leadership, were concerned that if Bunning stood for a third term the seat would be lost to the Democrats. One voice echoing these views was his home state colleague and Senate Minority Leader Mitch McConnell. 'Over the past year, some of the leaders of the Republican Party in the Senate have done everything in their power to dry up my fundraising', complained Bunning. It is highly unusual for the announcement of a senator's retirement to increase his party's chance of holding the seat, but this may well happen in Kentucky. Bunning's replacement as the Republican candidate is likely to be the Kentucky secretary of state Trey Grayson. However, with big-name Democrats lining up for their party's Senate primary, you would have to put this Republican seat on the endangered list.

In **Kansas**, senior senator Sam Brownback is retiring after two terms to run for the state governorship. He had always promised Kansas voters that he would serve only two terms in the Senate, but here, in this Republican heartland state, the Republicans would expect to hold on — especially with Democrat governor Kathleen Sebelius, tapped by President Obama as health and human



services secretary, out of the running. The Democrats have not won a Senate seat in Kansas since 1932, so this should stay with the Republicans.

In **Florida**, one-term senator Mel Martinez retired in August 2009 and was replaced by George LeMieux, appointed by state governor Charlie Crist to serve out the remaining few months of Martinez's term. Florida is another swing state. Since 1964, it has gone for the winning presidential candidate in 11 out of 12 elections, the one exception being its narrow vote in favour of President George H. W. Bush in 1992 rather than the eventual winner, Bill Clinton. With popular state governor Charlie Crist likely to be the Republican candidate, this looks less like an obvious Democratic win.

A potentially vulnerable Republican incumbent is Richard Burr in **North Carolina**. The political climate in the state has changed markedly since Burr first won the seat in 2004. Back then, North Carolina was seen as a reliably Republican state, voting Republican in seven consecutive presidential elections, and in 2004 favouring George W. Bush over John Kerry by 12 percentage points. With Burr winning the Senate seat vacated by Democrat John Edwards, the state now had two Republican senators. In 2008, Obama won the state over McCain and Republican senator Elizabeth Dole lost her seat to little-known state legislator Kay Hagen. However, to increase their chances of unseating Burr in 2010, Democrats will need to come up with a top tier candidate — something they had failed to do a year away from the election.

Another vulnerable Republican incumbent is David Vitter in **Louisiana**. In a strong Republican year in 2004, Vitter managed to win the election with just 51% of the vote. Neither have Vitter's chances been helped by his admission in 2007 to 'a very serious sin' relating to his phone number appearing in the records of a Washington DC escort agency linked to prostitution. The married senator made a public confession and apology, but this will doubtless hurt him among Christian, evangelical voters. Another blow to Vitter's chances of survival came in 2009 with the announcement by conservative Democrat House member Charlie Melancon that he would contest Vitter's seat rather than seek re-election to the House.

With so many potentially competitive Senate races — we have reviewed 15 here — it is difficult to predict the likely final outcome. It is often the case that all the toss-up races fall to the same party. If that were to occur, either party could gain up to five or more seats. However, an equally possible scenario is that the final result ends as a wash, with both parties winning and losing some seats.

The House races

It's all quite different in the House. With so few genuinely competitive House races these days (see Chapter 4), the opportunities for making significant gains

in mid-term elections are somewhat limited, barring some significant and widespread feeling of discontent among voters directed at the president's party. This is what occurred in 1994, causing an unusually high number of House seats to change hands. It is also significant that, following the 1992 House elections, 111 of the races were decided by less than 10 percentage points — in other words, were genuinely competitive for 1994. But in 2008, only 61 seats were decided by less than 10 percentage points, meaning there will be significantly fewer genuinely competitive seats in 2010 than there were in 1994.

Exactly a year ahead of the election, the highly respected CQ Politics website (www.cqpolitics.com) rated 333 seats as 'safe' and identified a further 59 in which one party was favoured to win, making a total of 392 seats. That left only 43 seats as truly competitive at that stage. Of those, CQ Politics rated 26 as leaning Democrat, 11 as leaning Republican and 6 as toss-ups. You could revisit the website during 2010 and see if there has been any movement in these totals and, if so, in which direction. Of particular interest would be five bellwether districts, all rated as toss-ups a year before the election. These districts, and others like them, will be the key to the 2010 House elections (see Box 6.1).

Box 6.1 Five toss-up Democrat-held Districts in the 2010 mid-term elections

Alabama 2

Bobby Bright (D) won this formerly Republican seat in 2008 by just 0.5% of the popular vote. But at the same time, the District voted for McCain over Obama by 63% to 37%, making Bright a top target for Republicans. Their candidate, Martha Roby, is a councillor in the city of Montgomery and seen as a strong recruit. This is a seat the Republicans need to win if they are to make any headway nationally.

Florida 8

Alan Grayson (D) won this seat from Republican four-term incumbent Ric Keller in 2008 by just over 4% of the popular vote. However, Grayson has stirred up controversy in the House during his first term, famously declaring on the House floor that the Republicans' national healthcare policy was 'don't get sick', and if you do, 'then die quickly'. The Republicans are saying Grayson is too liberal for this middle-of-the-road district but they may fail to field a strong enough candidate to retake the seat.

Idaho 1

Walt Minnick (D) defeated freshman Republican Bill Sali in 2008 by just over 1% of the popular vote. Sali had lost votes with his personally abrasive style, and this solidly Republican district — McCain won it 62–36 — voted for Minnick, a conservative, pro-gun Democrat with a folksy style. The Republican candidate — yet to be chosen — will doubtless try to tie Minnick to the liberal Democratic leadership in Washington. It's another district Republicans need to win back.



Maryland 1

Frank Kratovil (D) won this previously traditional Republican seat in conservative eastern Maryland by a whisker in 2008. The moderate Republican incumbent, nine-term congressman Wayne Gilchrest, was ousted in the primary by the more conservative Andy Harris. However, while McCain was beating Obama in the district by 18 percentage points, Harris just lost to Kratovil by less than 1 percentage point. Harris may be back for a rematch.

Virginia 5

Tom Perriello (D) won this district in 2008 by defeating six-term Republican Virgil Goode by just two-tenths of 1 percentage point. Perriello undoubtedly benefited from Obama's coattails and will have to survive on his own in 2010. He has taken some conservative-pleasing positions during his first term, hoping to win re-election in a district that still went for John McCain over Barack Obama in 2008. Goode has ruled out a rematch but there's quite a list of potentially strong Republican candidates hoping to win back this seat in the mid-terms.

Another factor likely to reduce the number of gains for either party is that most of the early retirements announced on both the Democrat and Republican sides of the House were of members who represent districts that tend to support overwhelmingly one party or another. For example, Republican congressman Nathan Deal of Georgia announced early on that he would not seek another House term but would instead enter the race for the state governorship. Deal's district gave more than 75% of its vote to John McCain in the 2008 presidential race. In Hawaii, Neil Abercrombie is also leaving the House to run for governor. Abercrombie's Hawaii district voted overwhelmingly for Barack Obama in 2008.

Once again, the Republicans are likely to have more retirees than Democrats in the House races. Open seats — those with no incumbent — are often more vulnerable, so the Republicans' hope of recapturing control of the House in these elections seems utterly forlorn, barring some significant meltdown by the Democrats. Possible causes of Democrat collapse? Look out for Obama's healthcare reform either to stall or be unpopular, and for the failure of those critical 'green shoots of recovery' to appear on the economic front in time for the mid-terms. By November 2010, the economy will be 'owned' by the Democrats, as will the war in Afghanistan, which rumbles on into its ninth year. The President — who as a candidate so often proclaimed 'Yes we can!' — may discover that the voters expect results, and fast.

Questions

- 1 Why might there be an unusually high number of Senate races in 2010?
- 2 What does Table 6.1 tell us about the loss of Senate and House seats by the president's party 2 years into a president's first term?
- 3 Why is it highly unlikely that the Republicans will regain control of either the House or the Senate as a result of the 2010 mid-term elections?

- 4 What factors might lead the Democrats to lose the Senate races in Connecticut and Illinois?
- 5 Discuss the Democrats' chances of holding onto their Senate seats in Nevada, Pennsylvania, Colorado and Delaware.
- 6 Why is it significant that five Republican senators are retiring in 2010? How easy or hard will it be for the Republicans to hold onto these seats?
- 7 Which Republican-held Senate seats are most at risk in 2010?
- 8 What factors make significant Republican gains in the House unlikely in 2010?

