

**SPOTLIGHT REPORT**

April 21, 2021

## A Way Too Early Look at the 2022 Midterms

**What's Happening:** There are only 566 days until the 2022 midterm elections, as both the 222-213 Democratic House and 50-50 Democratic Senate will be up for grabs.

**Why It Matters:** It's too early to say what will be the defining issue of the 2022 midterms or whether what is happening today will have any bearing on what happens next year. But elections are always on the minds of politicians in DC and influence how they operate in the day-to-day. **Republicans hold a historical and structural advantage in winning back control of Congress. Those advantages after reapportionment and redistricting could be enough without improving on their losing margins from 2020.** As Republican voters were unified behind President Trump in 2020, Republican leaders are looking to keep the party unified ahead of 2022. **There are differing strategies between Republican leadership in the House and Senate as it relates to President Trump and Trumpism but there's agreement that being the opposition party to Democrats suits them well.** Democrats are looking to show, not tell voters why they should remain in power by focusing on an ambitious policy agenda in 2021. **But this is as much about having accomplishments to campaign on as it is a legacy marker and an acknowledgement that 2021 may be the last time in a while for Democrats to get what they want passed given the 2022 midterm headwinds.**

**What's Next:** Republican confidence in winning back the majority and a Democratic desire to get as much done as possible (within the limits of Senate rules and a narrow majority) means it will likely be the lowest common denominator for bipartisanship out of DC and at least one more use of budget reconciliation. Special elections, off-cycle elections in states like New Jersey and Virginia, and overall polling will likely instruct the political and policy maneuvering of both sides. The redistricting process later in the year will also inform decisions for certain members whether they run again, decide to call it quits, or seek higher office. Candidate recruitment in the House and Senate has begun in earnest as there are opportunities and challenges for Republicans as Trump looks to keep his hold on the party and exact revenge on those he perceives as disloyal to him. Then there will be the retirement watch of big name figures like House Speaker Nancy Pelosi (D-CA) and how a potential personnel change at the top of the party will shake up the Democratic Party dynamics.

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## History: Advantage GOP

The president's party has only gained House seats [three times](#) in midterm elections dating back to the Civil War. The Senate record is more split, with the president's party maintaining or gaining seats 16 out of 40 midterm elections dating back to 1862. This is because only roughly one-third of the Senate seats are up for election each midterm, creating more variance in the electoral battlefield. Republicans have also had a [turnout advantage](#) in midterm elections of Democratic presidents dating back to 1978.

The last time the president's party gained seats in both the House and Senate in the midterm elections was 2002. George W. Bush lost the popular vote by half a point in 2000, but Republicans won the House popular vote by 4.8 points in 2002. President Bush also had a [63/29 approval/disapproval rating](#) at the time of the midterms as there was still a rally-around-the-flag moment from the aftermath of 9/11 and the War on Terror was only ramping up, with voters trusting Republicans more to handle it. The pandemic can be seen as something of a war-like effort, but Democrats hope it will largely be dealt with this year and not be top of mind for voters heading into the 2022 midterms. That could make it more similar to WWII rather than the War on Terror. Democrats were in control of government when America won WWII in 1945. Yet, they lost control of both the House and Senate the following year.

Before the 2002 midterms, Democrats gained seats in both the House and Senate in the 1998 midterm elections with President Clinton in the White House. The success of Democrats was seen as a public backlash to Republican overreach in the ongoing impeachment inquiry of Clinton. However, unlike 2022, there was no unified control of government by one party -- Republicans already had control of the House and Senate pre-midterms. They were the ones controlling the agenda out of Congress, which was impeachment. Republicans continued to maintain majorities, but at a smaller margin, after the midterms. It's a harder message for Democrats this time around to say they should earn voters' support as a check against Republicans since Republicans are in the minority. Additionally, while Democrats gained seats in the House in 1998, they actually lost the popular vote by 1.1 points. This was a big decline from two years earlier when Clinton won his reelection by 8.5 points. It's Republicans, not Democrats who hold the structural advantage in federal elections today.

## Structural Baseline After Reapportionment and Redistricting: Advantage GOP

Today, Republicans have a more efficient distribution of support in America than Democrats who tend to be more clustered in metropolitan areas. Despite President Trump losing the popular vote by 4.5 points in 2020, House Republicans ended up netting 12 seats. Democrats won the 218th, or the median, seat by [2.3 points](#), a **2.2 point Republican advantage** compared to the presidential popular vote.

The Republican structural advantage in the Senate was even greater in 2020. In the general election, North Carolina's Senator Thom Tillis represented the median Senate seat, winning his race by [1.8 points](#). That led to a **6.3 point Republican advantage** in the Senate compared to the presidential race. But because of Georgia Senate election rules, Jon Ossoff was able to turn a 1.8 point loss in the general into a 1.2 point victory in the special election, representing the other median seat.

As the Cook Political Report's [latest release](#) of its partisan voting index (PVI) shows, **230 of the 435 congressional districts are more Republican than the national average, requiring Democrats to win in Republican territory.** The number of relatively safe Republican districts (R+5 or greater) outnumbers the number of relatively safe Democratic districts (D+5 or greater) 192 to 165, as the number of swing districts (R+5 to D+5) remains at historic lows. The Cook Political Report ascribes 81 percent of the increased polarization and Republican tilt of House districts to self-sorting of voters and just 19 percent to redistricting/gerrymandering changes.

**But when Republicans need to gain just five seats (or 1.1 percent) in the House to win the majority, redistricting matters.** The US Census Bureau is set to release the first 2020 Census results by the end of next week. This will provide data on reapportionment, changing how many House seats each state receives. The current projections are as follows:

#### States Gaining Seats:

- Arizona +1 (from 9 to 10)
- Colorado +1 (from 7 to 8)
- Florida +2 (from 27 to 29)
- Montana +1 (from At-large to 2)
- North Carolina +1 (from 13 to 14)
- Oregon +1 (from 5 to 6)
- Texas +3 (from 36 to 39)

#### States Losing Seats:

- Alabama no change or -1 (from 7 to 6)
- California -1 (from 53 to 52)
- Illinois -1 (from 18 to 17)
- Michigan -1 (from 14 to 13)
- Minnesota -1 (from 8 to 7)
- New York -1 or -2 (from 27 to 26 or 25)
- Ohio -1 (from 16 to 15)
- Pennsylvania -1 (from 18 to 17)
- Rhode Island -1 (from 2 to 1)
- West Virginia -1 (from 3 to 2)

A state like Texas gaining three seats is in no small part due to an influx of Americans from Northern cities, making the state more purple. But Republicans hold a trifecta in the state government and thus hold the levers of redistricting. The US Census Bureau is estimating

an early version of redistricting data will be available by mid-August, with a fuller version available by the end of September. From there, states, whether the legislature or an independent commission, will begin redrawing the congressional districts. After the 2020 census, Republicans are expected to have the sole power to draw congressional maps for [181 seats](#), compared to 49 seats for Democrats. For Republicans, this includes states like Texas and Florida.

A [Brennan Center analysis](#) showed that states where Republicans controlled redistricting had the GOP winning 53 percent of the vote in the state but 72 percent of the seats. For Democrats in control of redistricting, they won 56 percent of the vote and 71 percent of the seats. **This means the 2020 reapportionment and redistricting will likely be enough for Republicans to gain the requisite five seats without needing to improve upon their national vote total from 2020.**

## **Pick Up Opportunities: Mixed but Slight Advantage GOP**

The National Republican Congressional Committee (NRCC) has an [initial list](#) of 47 Democratic targets. The Democratic Congressional Campaign Committee (DCCC) has an [initial list](#) of 21 Republican targets. These target lists should of course be taken with a grain of salt. But it does speak to two things.

**First, there are fewer clear pick up opportunities than in years past as American elections down ballot have become more parliamentarian in nature, voting for the party more so than the individual candidate.** The 2020 election saw just 16 split ticket House seats, a record low, where the person elected in the district was from a different party from who the voters chose for president. There were nine Biden-Republican seats and seven Trump-Democratic seats. As a comparison, heading into the 2010 midterm elections, there were 83 split-ticket House seats, 49 of which were held by Democrats. This provided fertile ground for Republicans in 2010, especially in the South, to pick up a number of seats.

**Secondly, even with this narrowed field of pick up opportunities, Republicans do have something of an edge.** Of the 78 swing districts with a PVI between D+5 and R+5, Democrats hold 56 seats and Republicans hold 22 seats. Among the districts with a PVI between D+1.9 and R+1.9, Democrats hold 27 seats and Republicans hold seven seats. There are more seats in play for Republicans to go on the offense with a neutral environment compared to 2020. If the midterm elections are a better environment for Republicans than 2020, that advantage will likely only grow in conjunction with redistricting.

The Senate may seem like more fertile ground for Democrats. Of the 34 seats up in 2022, Democrats are defending 14 and Republicans are defending 20. Biden won the states of all the Democratic seats up, while Republicans are defending seats in states Trump lost, like Pennsylvania and Wisconsin. **But the states where the most competitive races will likely be held were still all to the right of Biden's 4.5 point margin of victory in 2020.**

They include Arizona (Biden +0.3 percent), Georgia (Biden +0.2 percent), Nevada (Biden +2.4 percent), North Carolina (Trump +1.3 percent), Pennsylvania (Biden +1.2 percent), and Wisconsin (Biden +0.6 percent). New Hampshire, which Biden won by 7.4 points, is seen as competitive if Republican Governor Chris Sununu gets in the race. In a neutral environment compared to 2020, all these races at the onset are competitive. But if the environment becomes more Republican by just a few points, it could tilt many of these states to the red.

## Forward Looking Variables: Too Early to Tell

At this early stage, historical precedent and the structural map plays an outsized role in looking at the 2022 midterm prospects. But as the midterms approach, other variables will come into play. Presidential approval/disapproval has been a [reliable indicator](#) of House party vote share in the last three midterm elections under Presidents Obama and Trump. Right now Biden has a [53.4/40.1 approval/disapproval rating](#), which would theoretically bode well for Democrats if it can be maintained through 2022. But it's just too early to tell. Notably, it's almost the exact inverse of where Trump was (41.9/52.3) at this point in his presidency. Trump's pre-midterm approval/disapproval was 42/53, with Republicans winning 45 percent of the vote and Democrats winning 53 percent of the vote in the 2018 midterms. The political polarization of Biden is [even greater](#) than Trump so far, with the gap between Democratic approval for Biden (96 percent) vs. Republican approval for Biden (10 percent) at 86 points. **That could mean tribal politics is continuing and the range of Biden's approval rating will be limited like Trump's.**

**At the same time, Biden does not hold the same attention and focus that Trump or Obama did.** There could be less of a drive to vote in the midterms to show solidarity or opposition to the president who is not keen on hogging the spotlight. **This could mean there are voters who support Biden but do not feel the need to express that support in voting Democratic down ballot.** Right now, the [generic ballot](#) of supporting Democrats or Republicans shows a smaller Democratic advantage compared to Biden's net approval rating. Of the few generic polls conducted since March, Democrats hold an average 2.9 point advantage over Republicans. According to an [analysis by CNN's Harry Enten](#), the president's party has done worse in the midterms than the generic polling at this point in the election cycle in 12 of the last 14 midterms. In addition to Republican voters coming out at a higher rate than Democrats in midterms where the president is a Democrat, Enten estimates that Republicans could win the popular vote by four to five points.

Outside of the president's approval rating and the generic ballot, other items to watch this year will include special elections and the general elections for states like New Jersey and Virginia. This could give an early indication of voter sentiment and enthusiasm. The state of the economy will play a role even if it seems to play a smaller role in voter preferences than in years past.

**Finally, while polling had a bad year in 2020, that doesn't mean the polls should be completely disregarded.** Importantly, the polls were [quite accurate](#) for the 2018 midterms

and the [Georgia Senate runoffs](#) in January. Trump's absence from the ballots may lessen the polling problems that came from trying to account for hard-to-reach Trump supporters.

## The Path Forward

### *Republicans*

Republicans know they don't need to win a popularity contest against Democrats to win elections. They hold a structural advantage that does not require them to be a majoritarian party in order to win the majority in Congress. **Republican leadership in both the House and Senate see opposition to the Democratic agenda and putting a check on Democratic overreach as their best message for 2022.**

Right now, House Republicans are bullish about their chances of winning the majority. House Minority Leader Kevin McCarthy (R-CA) said he would bet his "personal house" that the GOP will win the majority next year. McCarthy sees the path of least resistance in both winning the majority and being elected speaker is trying to not offend anyone too much in the Republican base. That means not looking to rebrand from the Trump era. McCarthy's fealty to Trump was what got him in the position today where he could soon be the next speaker of the House. His last bid for speaker in 2015 was thwarted by Rep. Jim Jordan and the hardline House Freedom Caucus for his lack of conservative bona fides. Jordan today is an advocate for McCarthy. This leaves Trump and his biggest allies with leverage to remain relevant as long as McCarthy sees their approval as necessary to become speaker. Instead of focusing on Democratic policy, McCarthy and Republicans so far see the culture wars as the best base motivator in 2022.

Meanwhile, Senate Minority Leader Mitch McConnell (R-KY) still hasn't spoken with Trump since December 15th. There's [little love lost](#) between the two. But McConnell has moved away from attempts of purging Trump from the party, as was the case [immediately after](#) the January 6th insurrection, and is now looking at how to win back the majority. McConnell has said Republicans need to do a [better job](#) with college-educated, suburban, and women voters. But it's unclear how that desire translates into strategy when Trumpism still looms over the party. The trend of pre-Trump Republican establishment retiring is only continuing with Senators Roy Blunt (R-MO), Richard Burr (R-NC), Rob Portman (R-OH), Richard Shelby (R-AL), and Pat Toomey (R-PA) all announcing their retirements. More could follow. Trump and his allies are interested in getting involved in the open Senate races, as well as trying to knock down some potential incumbents like Senator Lisa Murkowski (R-AK) if she chooses to run for reelection. Whether a Trumpy or more moderate Republican wins the primaries in the Alabama, Alaska, Missouri, and Ohio races won't likely matter too much in these solidly red states. **It's the races in Arizona, Georgia, Nevada, North Carolina, and Pennsylvania that a controversial Trump candidate vs. a more acceptable establishment figure could make a marginal difference. A marginal difference could be meaningful in a close race.**

### *Democrats*

2021 is the more immediate term for Democrats than 2022. It's about defeating Covid-19 and passing as much as possible from the American Jobs Plan and the soon-to-be-released American Families Plan. What comes next is still TBD. Democrats want to campaign on their 2021 accomplishments, as well as a strong economy in trying to maintain their coalition of college-educated voters while making some inroads with working class voters and bolster the non-white base of support that slipped in 2020. **But policy accomplishments can often have a short shelf life.**

What's not talked about much now is the looming House retirements. So far, two House Democrats, Reps. Ann Kirkpatrick (D-AZ) and Filemon Vela (D-TX) have announced their retirements, both of whom were already on the NRCC target list. The most common time in an election cycle for a retirement announcement is [the winter before the election](#) (so winter 2021/2022). Democratic leaders and committee chairs are unlikely to make any waves right now, as they are intently focused on the legislative agenda at hand. **But 2021 is likely the height of Democratic legislative power over the next four years. This year can be a legacy marker that paves the wave for retirement.** House Speaker Nancy Pelosi (D-CA) is not expected to stick around after the 2022 midterms. If/when she announces her retirement, House Majority Leader Steny Hoyer (D-MD) and House Majority Whip James Clyburn (D-SC) may follow suit in order to pave a way for a new generation of leadership. There could be other long-serving Democratic members in high-ranking committee positions who follow suit after getting what they could get done this year. There's only 14 Democrats up for reelection in the Senate and the only name that has seriously come up is Senator Patrick Leahy (D-VT).

Then there are the moderate Democrats who could face increasingly difficult races in newly drawn or eliminated districts. Reps. Ron Kind (D-WI), Conor Lamb (D-PA), Stephanie Murphy (D-FL), and Tim Ryan (D-OH) are all taking serious looks at runs for Senate rather than for the House again that could be more challenging after redistricting.

If there is a departure of moderate Democrats and Democratic leadership, it would be a bearish signal among Democrats on their outlook of the midterm elections. **However, retirements aren't [reliable indicators](#) of how a party will do in elections.** More Republicans than Democrats retired ahead of 2020 despite gaining seats in the House. Such retirements would also speak to the leftward shift of the Democratic Party in the House as there would be fewer moderates to balance the progressives and a new cadre of leadership that could have a harder time balancing the demands from the left like Pelosi did in her tenure. Democrats who could potentially be chosen for the top leadership positions include Rep. Karen Bass (D-CA), Democratic Caucus Chair Hakeem Jeffries (D-NY), Assistant Speaker Katherine Clark (D-MA), Democratic Caucus Vice Chair Pete Aguilar (D-CA), and House Intelligence Committee Chair Adam Schiff (D-CA). A bid for leadership in a more progressive party means potentially making more concessions to the left wing of the party (e.g. term limits on committee chairs) for their support in a leadership race.



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