

## IN-DEPTH ANALYSIS

# Midterm elections in the United States: What's at stake?

Author: Wanda TROSZCZYNSKA-VAN GENDEREN

### Abstract

On 4 November 2014, midterm elections will be held for all 435 seats in the US House of Representatives and for 36 seats in the US Senate. Additionally, 36 of 50 states will hold gubernatorial races on that day. The Republican majority in the House of Representatives is widely expected to be maintained, and the Party stands a decent chance of gaining the six additional seats it would need to control the Senate as well – giving the party a hold over the entire Congress, with its legislative and oversight powers. Whatever results the Senate race produces, the midterms will not end the country's long-standing political gridlock. President Obama is certain to face a difficult two years before the end of his tenure.

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**AUTHOR:**

Wanda TROSZCZYNSKA-VAN GENDEREN  
Directorate-General for External Policies of the Union  
Policy Department  
SQM 03 Y 076  
Rue Wiertz, 60  
B- 1047 Brussels

Editorial Assistants: Simona IACOBLEV and Jakub PRZETACZNIK

**CONTACT:**

Feedback of all kinds is welcome. Please write to:  
[wanda.troszczynska@europarl.europa.eu](mailto:wanda.troszczynska@europarl.europa.eu).

To obtain paper copies, please send a request by e-mail to:  
[poldep-expo@europarl.europa.eu](mailto:poldep-expo@europarl.europa.eu).

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## 1 Midterm elections: What, when and how?

Midterm elections in the United States (held at the mid-term of the president's mandate) shape both the House of Representatives and the Senate. In some states, gubernatorial races are also held.

The Republican majority in the House of Representatives appears unshakable, and the party needs to gain only six extra seats to win a majority in the Senate.

Midterm elections in the United States are general elections held two years between presidential elections – i.e. at the midterm of the four-year presidential term. In addition to elections for the House of Representatives and the US Senate, gubernatorial races are held at midterm, with over half of states participating.

The midterm elections in the United States have historically focused on domestic issues and provide an opportunity to assess the current President's performance and hint towards the next presidential election. Their turnout is usually much smaller than during presidential elections.

On 4 November 2014 midterm elections in the US will decide 36 of 100 seats in the US Senate. (Senators have a six-year mandate, and one third are elected every two years, as are unanticipated, vacant seats.) The Republican Party ('the Great Old Party' or GOP) needs six additional seats to control the Senate.

All 435 House of Representatives seats will be decided (representatives have a four-year term and are elected simultaneously), as will 36 of 50 state gubernatorial seats.

The Congressional midterms, particularly the Senate ones, hold political significance, and in this case there is a real chance that the Republicans will gain a majority in the Senate. The likelihood of the Democrats gaining a majority in the currently Republican-controlled House of Representatives is close to nil.

In the Senate race, 21 of the seats up for election are held by the Democrats. Because the Democrats currently control 53 of the 100 Senate seats, they must win 19 of their current 21 seats – which is to say, lose no more than 2 – in the upcoming ballot to maintain a majority. (More details on individual races and some early polls are analysed in the following section.)

President Barack Obama's unpopularity has not helped Democratic Party candidates in the toss-up states. In a recent Washington Post/ABC News poll, President Obama's tenure was classified as 'failure' by 52% of the respondents, while 42% considered it 'a success'<sup>1</sup>. On both domestic (economy, immigration and healthcare) and international issues (response to international terrorism), Obama is not judged favourably<sup>2</sup>. As a result,

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<sup>1</sup> Washington Post, 'Majority Say President Obama a Failure,' 9 September 2014, <http://www.washingtonpost.com/blogs/the-fix/wp/2014/09/09/a-majority-of-americans-say-obamas-presidency-is-a-failure/>.

<sup>2</sup> According to the Rasmussen poll from 8 September 2014, 56% voters polled have an unfavourable opinion of the health care law [http://www.rasmussenreports.com/public\\_content/politics/current\\_events/healthcare/health\\_care\\_law](http://www.rasmussenreports.com/public_content/politics/current_events/healthcare/health_care_law).

According to the NBC News/Wall Street Journal poll from 10 September 2014, 53% voters polled had unfavourable views on President Obama's handling of the economy, [http://newscms.nbcnews.com/sites/newscms/files/14901\\_september\\_nbc-wsj\\_poll.pdf](http://newscms.nbcnews.com/sites/newscms/files/14901_september_nbc-wsj_poll.pdf).

President Obama has been compelled to play a very low-key role during the campaigns, staying away from the events and even refraining himself from taking decisive executive action on key files, particularly immigration reform<sup>3</sup>.

The Congress itself is not regarded favourably; widely considered to have been paralysed by partisan politics, the legislature has been one of the least productive in the history of the United States<sup>4</sup>. The causes of the US's current political gridlock are numerous, including bi-partisan polarisation, the increasingly irreconcilability of political agendas stemming from party tactics and widely differing core constituencies (different demographic and geographic support bases). These trends have grown increasingly pronounced in recent years, paralysing political progress and producing serious political crises – nearly causing the government to shut down in a couple of instances.

US midterm elections are usually said to predict the outcome of the next presidential race – in this case, the 2016 ballot.

While there is no agreement among the leading US political commentators on whether these midterms could be harbingers for the 2016 presidential elections, there has been speculation on both parties' potential nominees. Hillary Clinton's name continues to be frequently mentioned as a likely Democratic nominee. Even though she has not yet announced her readiness to run, she has distanced herself from an unpopular President Obama on a number of policy issues, particularly foreign policy issues such as the strategy on Syria. For some political commentators, this alone is an indication of her plans to run in 2016.

Other possible Democratic nominees mentioned are Elisabeth Warren (Senator from Massachusetts), as well as (*inter alia* and less frequently) Joe Biden (current Vice President) and Howard Dean (Chair of the Democratic National Committee).

The list of possible Republican nominees appears quite long, including Rand Paul (Senator from Kentucky), Jeb Bush (Governor of Florida), Marco Rubio (Senator from Florida), Chris Christie (Governor of New Jersey), Ted Cruz (Senator from Texas) and most of the past presidential hopefuls and running mates (including Herman McCain, Mike Huckabee, Rick Santorum and Paul Ryan).

Both parties are striving to ensure a robust turnout from their support base, as, according to a popular saying, 'midterms are about turnout'<sup>5</sup>. The

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According to the Gallup poll from 20 June 2014, 65% of voters polled held an unfavourable view on President Obama's handling of immigration law, <http://www.politico.com/story/2014/06/poll-obama-immigration-approval-low-108106.html>.

<sup>3</sup> Red State, 'Democrats: US Immigration Reform will Kill Us in the 2014 Elections,' 7 September 2014, <http://www.redstate.com/2014/09/07/democrats-immigration-reform-will-kill-us-2014-elections/>.

<sup>4</sup> NBC News, 'Congress on Track to be Least Productive in Modern History,' 31 July 2014, <http://www.nbcnews.com/politics/first-read/congress-track-be-least-productive-modern-history-n169546>.

<sup>5</sup> Pew Research Center, 'Voter Turnout Always Drops Off for Midterm Elections, but Why?', 24 July 2014, <http://www.pewresearch.org/fact-tank/2014/07/24/voter-turnout-always-drops-off-for-midterm-elections-but-why/>.

Democratic Party is particularly focussed on mobilising the African-American and Latino votes.<sup>6</sup> The ‘superpacks’<sup>7</sup> have been active, mobilising significant financial resources; in one example, a wealthy industrialist spent USD 7 million on a negative campaign against a Democratic candidate for the Senate<sup>8</sup>. Local party structures are concentrating on social media, as well as door-to-door campaigning, particularly in the closely contested states<sup>9</sup> (more on these in the following section).

## 2 Early predictions and polls

The Republicans appear likely to gain the seats they need to control the Senate.

The closest races are in Iowa, Arkansas, Colorado, Georgia, Kentucky, Louisiana, Maryland and North Carolina.

According to recent polls, the Republican Party is likely to capture the six seats it needs to gain a majority in the Senate. According to the recent Rothenberg/Roll Call poll, the GOP could gain at least 7 Senate seats<sup>10</sup>. Other polls have indicated similar results<sup>11</sup>. This would not be very unusual, as the last two US Presidents have lost the Congress in their second terms, as did President Ronald Reagan during his second term.

The closest or politically most significant Senate races include those in Iowa – a state famous for indicating the way the country votes in presidential elections – Arkansas, Colorado, Georgia, Kentucky, Louisiana, Maryland and North Carolina. The chart below suggests outcomes. In addition to the key domestic and international issues (see the following section), specific state-level issues matter here, as do personalities, tactics and candidates’ gaffes.

The US public’s widespread disillusionment with the two main political parties has helped to launch third-party candidates (either Libertarians or independents) in a number of closely contested states, including North Carolina, Iowa, Kansas, Georgia and South Dakota. Even if the candidates win a few per cent of votes, they can tilt the outcome in their states. These races are not, however, expected to alter the overall likelihood that the Republicans will take over the Senate.

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<sup>6</sup> Financial Times, ‘US Midterms: At Arm’s Length,’ 4 September 2014, <http://www.ft.com/cms/s/0/a10e26d8-3419-11e4-b81c-00144feabdc0.html>.

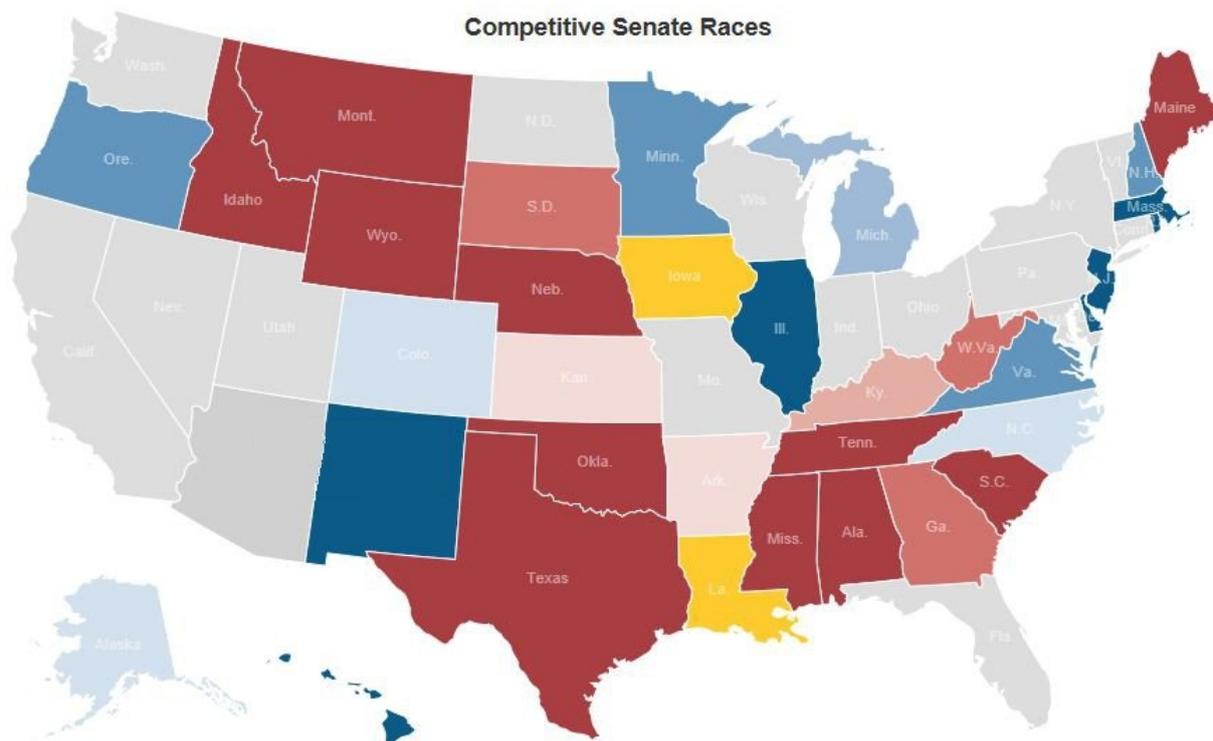
<sup>7</sup> ‘Superpacks’ are large political action committees, which pools campaign contributions from its members and subsequently donates them to campaigns for or against targeted candidates.

<sup>8</sup> Financial Times, ‘US Midterms: At Arm’s Length,’ 4 September 2014, <http://www.ft.com/cms/s/0/a10e26d8-3419-11e4-b81c-00144feabdc0.html>.

<sup>9</sup> Townhall (political website), ‘Billionaire Liberal Donor Shifts Midterm Election Strategy,’ 4 September 2014, <http://townhall.com/tipsheet/kevinglass/2014/09/04/billionaire-liberal-donor-shifts-midterm-election-strategy-n1887610>.

<sup>10</sup> The Rothenberg/RollCall poll on the Senate race from 8 September 2014, <http://blogs.rollcall.com/rothenblog/elections-2014-stu-rothenberg-senate-republican-gains/?dcz=>

<sup>11</sup> A recent CBS/New York Times poll predicts the Republican takeover of the Senate, <http://washington.cbslocal.com/2014/07/28/poll-republicans-favored-to-capture-senate-in-midterm-elections/>.



### Competitive Senate Races

Republicans looking to claim their first Senate majority in eight years will need to pick up three Democratic-held seats in addition to the three in Montana, South Dakota and West Virginia where they already have an edge. The most likely targets are toss-up races in Arkansas and Louisiana, and contested seats in Alaska, Iowa, New Hampshire and North Carolina.

#### Tossup

State	Incumbent	2012 president vote
Iowa	■ Tom Harkin (D)	Obama 52%
Louisiana	■ Mary L. Landrieu (D)	Romney 58%

#### Tilts Democratic

State	Incumbent	2012 president vote
Alaska	■ Mark Begich (D)	Romney 55%
Colorado	■ Mark Udall (D)	Obama 51%
North Carolina	■ Kay Hagan (D)	Romney 51%

#### Leans Democratic

State	Incumbent	2012 president vote
Michigan	■ Carl Levin (D)	Obama 54%

#### Favored Democratic

State	Incumbent	2012 president vote
Minnesota	■ Al Franken (D)	Obama 53%
New Hampshire	■ Jeanne Shaheen (D)	Obama 52%
Oregon	■ Jeff Merkley (D)	Obama 55%
Virginia	■ Mark Warner (D)	Obama 51%

#### Tilts Republican

State	Incumbent	2012 president vote
Arkansas	■ Mark Pryor (D)	Romney 61%
Kansas	■ Pat Roberts (R)	Romney 60%

#### Leans Republican

State	Incumbent	2012 president vote
Kentucky	■ Mitch McConnell (R)	Romney 60%

#### Favored Republican

State	Incumbent	2012 president vote
Georgia	■ Saxby Chambliss (R)	Romney 53%
South Dakota	■ Tim Johnson (D)	Romney 58%
West Virginia	■ Jay Rockefeller (D)	Romney 62%

■ Open seat      ◻ Projected party turnover

NOTE: Democratic totals for the Senate include two independents.

Roll Call and CQ Weekly use ratings assigned by the Rothenberg Political Report, which are defined as follows: SAFE: As of today, the party indicated is all but certain to win the seat. FAVORED: One candidate has a substantial advantage, but an upset is still possible. LEAN: The party indicated has the edge, but the outcome is less certain than for races rated as favored. TILT: The outcome is effectively regarded as a tossup for each of these highly competitive seats, although the party indicated has a slight edge. TOSSUP: Neither party has an edge in these contests.

### 3 Key domestic issues

Immigration reform and the state of the US economy are issues of particular concern.

President Obama, reportedly at the request of his party base, has delayed his expected executive decision to facilitate immigration reform. Particularly given a continued, large influx of unaccompanied minors from Central America, the President appears to have decided that his action would harm the Democratic candidates in the toss-up states. At the same time, some commentators have warned that this politically calculated decision could aggravate some Democrats, broadly in favour of a more decisive approach to immigration reform.

The slow pace of economic recovery, as evidenced by continued high unemployment and anaemic growth, continues to hurt the approval ratings of both the President and the Democratic Party. According to polls, over half of Americans feel their standard of living is continuing to fall<sup>12</sup>.

Less prominent issues include healthcare reform (the impact of the 'Affordable Care Act', often dubbed 'Obamacare'), although the debate appears to be losing steam as time goes by. In fact, approval of the reform appears to have improved over time, although polls suggest it is still assessed in a negative light<sup>13</sup>.

It may be the rise of Islamic State in Iraq and the Levant (ISIL) that has shifted public thinking on national security – as well as on privacy and government surveillance – towards a more hawkish stance (more information on this in the following section).

Other domestic issues being discussed in the midterm elections are very much locally flavoured and determined by concrete concerns in particular states. Education and gun control issues arise frequently across the country – likely linked partly to the serious unrest that rocked Ferguson, Missouri, after the police killed a young, unarmed black man.

The key domestic issues in these elections are immigration reform and the country's economic situation.

Less prominent issues include healthcare reform, education, privacy and gun control.

### 4 Key international issues

While past midterm elections have rarely centred on foreign policy issues, this time one foreign policy issue appears to have come to the forefront, shaping the positions of both of the parties and regularly inflecting midterm political debates.

The rise of ISIL in Iraq and Syria has caused a sharp change in public views on the role the US should play to contain the group's territorial advances.

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<sup>12</sup> Financial Times, 'US Midterms: At Arm's Length,' 4 September 2014, <http://www.ft.com/cms/s/0/a10e26d8-3419-11e4-b81c-00144feabdc0.html>.

<sup>13</sup> Reuters, 'Why the Obamacare Fight Never Ends,' 24 April 2014, <http://www.reuters.com/article/2014/04/24/schneider-healthcare-idUSL2N0NG1CS20140424>.

While foreign policy has not traditionally dominated the midterm debates in the past, the advances of the Islamic State in Iraq and the Levant (ISIL) in Syria and Iraq have galvanised public opinion in the US. The parties have loudly stated their positions on the issue.

Widespread news coverage, including the gruesome images of the beheadings of two US journalists captured by ISIL, have pushed public opinion to favour a stronger US role, including a possible military intervention in Syria. (The US public previously assessed this possibility very negatively.)

This shift has been reflected in various polls, which have revealed a negative evaluation of President Obama's perceived indecisiveness on this matter. (In the US, the public looks mainly towards the White House when it comes to major foreign policy decisions<sup>14</sup>.)

The Republican Party has forcefully advocated stronger action on ISIL and other foreign issues, including Russia. Even the Tea Party wing of the Republican Party has appeared less isolationist, as evidenced by recent speeches of Rand Paul, considered by some a frontrunner for the Republican nomination in 2016<sup>15</sup>.

The US Congress has found itself in a delicate position – on one hand demanding to be fully briefed on the President's intentions in Iraq and Syria, while on the other wary of having to authorise military action there.

On 10 September 2014, President Obama addressed the nation, authorising US air strikes in Syria, as part of a wider international mission (including regional powers) to eradicate ISIL's threat 'by all means necessary.' President Obama asked the Congress to authorise the necessary budget this would require. Early reactions to President Obama's speech were broadly favourable<sup>16</sup>. Nevertheless, the intractable nature of the situation there, coupled with the problem of providing aid to Syrian rebels, could complicate the Congressional agenda. Depending on the results of air strikes, public opinion may well shift again on this issue.

In general, it remains to be seen how US actions in Iraq and Syria will influence the midterm debate and the support for both parties. A shift seems to be occurring in security discourse, moving away from 'helping others' (the language used in describing the US role in Ukraine and Libya) and towards a need to respond to a direct threat posed to the United States. Some commentators have spoken of 'a return of hawkishness in foreign policy'<sup>17</sup>.

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<sup>14</sup> ABC News, 'Obama Hits a New Low for Leadership, With Criticism on ISIS and Immigration Alike,' 9 September 2014, <http://abcnews.go.com/blogs/politics/2014/09/obama-hits-a-new-low-for-leadership-with-criticism-on-isis-immigration-alike/>.

<sup>15</sup> Salon (political blog), 'Rand Paul's Flip Flop Nightmare: Non-Interventionist Now Backs War in the Middle East,' 3 September 2014, [http://www.salon.com/2014/09/03/rand\\_pauls\\_flip\\_flop\\_nightmare\\_non\\_interventionist\\_now\\_backs\\_war\\_in\\_the\\_middle\\_east/](http://www.salon.com/2014/09/03/rand_pauls_flip_flop_nightmare_non_interventionist_now_backs_war_in_the_middle_east/).

<sup>16</sup> USA Today, 'Obama Prepared to Order Strikes against ISIL,' 10 September 2014, <http://www.usatoday.com/story/news/nation/2014/09/10/obama-iraq-syria-islamic-state-speech-prime-time/15380239/>.

<sup>17</sup> This view has been expressed by experts participating in the recent Council on Foreign Relations (CFR) debate on midterms and foreign policy issues (Mike Allen, Chief White House Correspondent, *Politico*, and Michael Dimock, Vice President of Research, Pew Research Center), held in Washington, D.C., on 9 September 2014 (the video recording of this meeting is available on <http://www.cfr.org/congresses-parliaments-national-legislatures/us-midterm-elections-114th-congress-look-foreign-policy-landscape/p33397>).

Unlike the issue of ISIL, the current crisis in Ukraine and relations with Russia have not featured conspicuously in midterm debates. Other foreign policy issues – such as Israel’s campaign in Gaza and relations with China (including tensions over the South China Sea) – have been even less prominent.

## 5 Possible post-election scenarios

Whether the Republicans capture the Senate or not, President Obama has to brace for a difficult two years before his tenure ends.

A Republican majority in the Senate – which polls suggest is likely – combined with the party’s unshakable majority in the House of Representatives, would create a Republican-dominated Congress. Yet some analysts argue that President Obama is likely to face a very challenging end to his second term regardless of what happens with the Senate race; partisan clashes are likely to paralyse political progress in any case, adversely affect his political agenda on both the domestic and international fronts<sup>18</sup>.

### 5.1 Option A: Republicans take the Senate

Should the Republicans take over the Senate, they would get full control of the Congressional legislative agenda and political scrutiny activities, and would have a greater sway over the President’s nominations.

If the Republicans win at least six extra Senate seats, they would control both the Senate and the House – a dominance that would bring both power and responsibility. The Republicans could then completely control the legislative agenda and political scrutiny activities. The party would also determine whether Presidential nominees were approved for high federal functions, including, *inter alia*, judges and ambassadors (in case of the latter, the Congress has been notorious in delaying ambassadorial nominations – even for over a year)<sup>19</sup>. Many of the Republican legislative bills currently blocked by the Democratic majority would likely go ahead, influencing key policy areas, including – most immediately – bills related to funding, which pass through the Appropriations Committee.

The Republican party would also, however, have to then assume more responsibility for the political outcome. The Republican-dominated Congress would be expected to react strongly to President Obama’s decisions, and the Congress’s actions reactions would face increased public scrutiny. The potential that the party could be blamed for ‘missteps’ would not always be convenient, particularly as the 2016 presidential elections loom.

Time will tell what strategy the GOP embraces if it gains control of the Congress. While some observers predict a very assertive Congress – not shy of confronting the President – it is also possible that some key files (especially foreign policy files) might witness some degree of bi-partisan cooperation, as well as cooperation with the President. This would allow the GOP to present itself as a credible choice for government.

The future dynamics within the party remain uncertain, particularly regarding

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<sup>18</sup> Ibid.

<sup>19</sup> MSNBC, ‘Congress Failure on Ambassadors Hurts US Isis Strategy,’ 9 August 2014, (video) <http://www.msnbc.com/rachel-maddow-show/watch/do-nothing-congress-hurts-isis-fight-strategy-326649411525>.

the evolution of the Tea Party. While 'establishment' candidates seem to be gaining an upper hand, whether this signifies a diminishing role for the Tea Party fraction within the GOP is uncertain.

## 5.2 Option B: Democrats retain the Senate majority

Should the Democrats remain in control of the Senate, President Obama may enjoy marginally better cooperation with the Congress.

If Republicans fail to capture the six Senate seats necessary for a majority, the result may not be dramatically different than if they did. Some commentators have suggested that what appears to be the best-case scenario for President Obama (a Democratic Senate) would only provide him 'more of the same' – i.e. an obstructive House of Representatives and only slightly easier battles, including one over the budget deficit<sup>20</sup>. On the other hand, some political analysts have argued that a more President-friendly Senate would allow Obama to better prepare the ground for a Democratic presidential nominee in 2016.

If the Democrats retain the Senate, it will certainly be more difficult for the Republicans to push through their budgetary reform agenda. The Congress is bracing itself for tough negotiations; recent discussions on the topic resulted in a temporary government shutdown.

## 6 The midterm elections' significance for Europe

The EU needs the US to remain focussed on key foreign policy issues –the on-going crises and longer-standing issues of common interest.

While the upcoming US midterm elections largely focus on domestic issues (with the exception of the fight with ISIL in the Middle East/North Africa region), their outcome is likely to have global ramifications. The EU needs the US to continue and enhance its engagement in urgent foreign policy areas – to continue searching for solutions to the conflict in Ukraine, containing terrorist threats in the Middle East/North Africa region, and working towards long-standing objectives. These include supporting the Afghani authorities in maintaining stability once the bulk of the international security forces in the country are phased out, containing Iran's nuclear ambitions and finding solutions to the Arab-Israeli conflict.

While these dossiers are priorities for both the Democrats and the Republicans, their visions, policies and strategies on them have differed significantly. It is therefore reasonable to expect that a divided or paralysed Congress would weaken the US's ability to act on a global stage – to the detriment of many others, including the country's European allies.

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<sup>20</sup> Financial Times, 'US Midterms are Set to Reawaken Political Risks,' 29 August 2014, <http://www.ft.com/intl/cms/s/0/8b8bfbc0-2f77-11e4-a79c-00144feabdc0.html>.