

Mike Berman's

WASHINGTON POLITICAL WATCH

No. 86

September 3, 2009

STATE OF THE NATION

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PRESIDENT OBAMA

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HEALTH CARE

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THE CONGRESS

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THE SUPREME COURT

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THIS AND THAT About Anne Wexler

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RESTAURANTS

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In recent months Americans have steadily become more pessimistic about the direction of the country. Depending on your survey of choice, the number who say it is on the wrong track ranges from 49% to 55%. The number who say it is on the right track ranges from 39% to 44%.

	NBC/WSJ	NYT/CBS	WP/ABC
	<u>RD/WT</u>	<u>RD/WT</u>	<u>RD/WT</u>
February	41/44%	23/68%	31/67%
April	43/43%	39/53%	50/48%
June	42/46%	44/50%	47/50%
July	39/49%	42/49%	xxxx
August	xxxx	xxxx	44/55%

As pessimistic as the wrong track numbers are currently, they are a substantial improvement over the numbers recorded in the WP/ABC survey in October '08 - 90%; December '08 - 82% and January '09 - 78%.

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24% of current job holders in America are very dissatisfied with their current job security. This is the highest number seen in the last 13 years. [NBC/WSJ 7/09]

50% are completely satisfied with their job security. The highest number of folks taking this position in the last 7 years was in mid-2007, when 56% had this view. [Gallup 8/09]

Currently employed Americans do have some concerns. They are worried about

	<u>2009</u>	<u>2008</u> (same time)
Being laid off	31%	15%
College graduates	22%	13%
Non-college graduates	36%	16%
Hours being cut back	27%	14%
Wages reduced	32%	16%
Benefits will be reduced	46%	27%

[Gallup 8/09]

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Unemployment during July was 9.4%.

African Americans	14.5%
Hispanics	12.3%
Whites	8.6%
Youth	23.8%
Without high school diploma	15.4%
With high school degree	9.4%
With college degree	4.75%

Unemployment is expected to hit 10% before it begins to decline in any appreciable way. When the underemployed, those who went from full to part-time, etc., are added to the list, the over-all rate of unemployment pushes 16%.

Additionally, the country is experiencing the highest level of long-term unemployment – out of work for more than 27 weeks – since 1941. [Center for American Progress 8/14/09]

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There are signs that the public is feeling marginally better about the economy.

In July 56% of Americans said they were very dissatisfied with the state of the U.S. economy today. This was some improvement from the 70% who had that view in February. 44% believe that the economy will get better in the future, up from 38% in

April. In the same time frame, 30% thought the economy was getting worse in April, but only 21% held that view in July. [NBC/WSJ 7/09]

And while 49% think this economic recession will last up to 2 years or longer, 70% held that view in February.

Up to 6 months	14%
up to 1 year	35%
Up to 2 years	24%
Longer than 2 years	25%

[WP/ABC 8/09]

27% now believe that the economy has hit bottom, which is an increase from 17% who had the view in February. The number who think the economy has a way to go before it hits bottom has dropped 20 points in February to 58%. [NBC/WSJ 7/09]

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1.25 million people filed for bankruptcy between 7/1/08 - 6/20/09. This is up 34% from the previous 12 month period. 126,434 filed for bankruptcy protection this past July, an annualized rate of just over 1.5 million people. [WP 8/14/09]
Some estimates project 1.8 million filings this year.

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The S&P 500 may be up, but plain old consumer confidence is not. The week of August 23rd, 36% expressed confidence in the economy, which is down from 40% in the weeks of August 9th and 16th. 25% said the economy was improving the week of August 9th. Only 20% had that view the week of August 23rd. [Gallup 8/09]

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In the 12 month period ending April 2009, 58 million credit card holders had their limits slashed. [Associated Press 8/21/09]

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At least 40% of U.S. workers saw the balance in their 401(K) plans drop by 30% or more in 2008. [WP 8/16/09]

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68% of Americans expect that their Federal income taxes will be higher by the end of 2012 than they were when Obama took office. This includes 59% of those making less than \$30,000; 65% of those making \$30-75,000; and 80% of those making \$75,000 or more. [Gallup 8/09]

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Over the last 7 years the Federal Government's favorable rating has fallen from 64% to 42%; State governments from 62% to 50%; and local governments from 67% to 60%. There appears to be a correlation between the severity of the budget deficit in various States and their favorability ratings. The steeper the deficit, the lower the favorability rating. [PEW 8/09]

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In 2000, by 65% to 24%, Americans thought that big government was likely to be the biggest threat to the country in the future. By 2003, the spread between the two had dropped to 9 points, 47% saying big government and 38% saying big business. In the spring of this year, the spread had opened once again, and 55% said the biggest threat was government and 32% selected big business. [Gallup]

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In June only 68% of the country's industrial capacity was in use. This is the smallest usage recorded since 1967 when the Federal Reserve began recording this measurement. [Center for American Progress 8/14/09]

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When faced with the question of whether the President and Congress should worry more about boosting the economy, even though it causes higher deficits, or keeping budget deficits down, 59% opt for the latter, with 36% choosing the former. [NBC/WSJ 7/09]

In the face of that sentiment, the Administration has announced that the 10-year deficit will be at least \$9.05 trillion. Earlier, the Administration had predicted a \$7 trillion deficit for the period.

Here is what makes up the debt:

- \$ 6,259 Billion - tax cuts and spending required under current law, including SS, Medicare, Medicaid in excess of revenues
- 2,102 Billion - Extension of Bush tax cuts except for top earners
- 546 Billion - AMT adjustment for inflation
- 311 Billion - Maintain Medicare Doctor payment
- 569 Billion - Interest
- 527 Billion - New tax credits
- 232 Billion - Non-defense discretionary spending
- 177 Billion - Energy investments and other

Against those increases are the following planned reductions as a result of new revenues:

- \$ 106 Billion - Interest
- 627 Billion - Energy revenue
- 944 Billion - War phase-down
- 295 Billion - Other proposals

Grand total deficit \$ 9,051 Billion (\$9.05 Trillion).

Of course, all of the above assumes that the new major initiatives like healthcare or climate change include proposed savings or revenues to match potential costs.
[NYTimes 8/09 - OMB]

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What do Americans think of the stimulus program? 41% say the program is making the economy better. 24% say that it is in fact making it worse. 51% say the government should have spent less on the economic stimulus. 65% oppose a second stimulus effort. [Gallup 8/09]

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The consumption of bottled water has declined for the first time in a decade, from 8.8 billion gallons in 2007 to 8.7 billion gallons in 2008. [WP 8/15/09].

Anecdotaly, a number of WW's favorite restaurants in Washington and New York City report a decline in the purchase of bottled water. Additionally, they report that many wine drinkers are buying less expensively priced bottles of wine than before this latest financial crisis.

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During the first half of 2009 residents of Hawaii and North Dakota had the lowest stress levels in the nation. Residents of Kentucky and West Virginia were the most stressed. [Gallup 8/09]

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By 61% to 39%, we are not worried that someone in our immediate family will catch the swine flu. [WP/ABC 8/09]

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POLITICAL COMPOSITION OF THE NATION

Democrats control the Executive and Legislative branches of the Federal Government. Republicans dominate at least the top two layers of the 3rd branch of Government, the Judiciary.

Here is how the American public sees itself.

At the current time

41% describe themselves as Democrats

24% strong

9 not very strong

8 Ind/Lean Democrat

29% describe themselves as Republicans

12% strong

8 not very strong

9 Ind/Lean Republican [NBC/WSJ 7/09]

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Conservatives are the dominant self-described philosophical group in the country.
[Gallup 6/09]

Conservative	40%
Very	9%
Liberal	21%
Very	5%
Moderate	35%

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And here are some other reflections of the political landscape.

There are 43 States (including D.C.) that at least tilt Democratic, 6 States that at least tilt Republican and 2 States that are about even.

Top 10 Democratic	Top 6 Republican	2 Even
D.C. 77%	Utah 53%	North Dakota
Massachusetts 60%	Wyoming 52%	Nebraska
Maryland 58%	Idaho 48%	
Hawaii 56%	Alaska 47%	
Vermont 56%	Alabama 46%	
Illinois 56%	Mississippi 44%	
New York 55%		
Rhode Island 54%		
Connecticut 54%		
California 53%		

Gallup [1-6/09]

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People who are married are more likely to identify politically as Republican; at least that is the finding from the analysis of 29,000 interviews conducted by Gallup in June.

	<u>GOP</u>	<u>DEM</u>	<u>IND</u>
All adults	26%	35%	34%
Married	33	31	33
Not married	21	41	36
Single/never married	20	40	36
Separated	17	37	42
Divorced	22	42	33
Widowed	26	42	28
Domestic partners	12	41	44

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PRESIDENT OBAMA

President Obama's overall job approval rating continues to edge downward in the NBC/WSJ survey. In addition to the 9-point drop in his approval rating, his disapproval rating has grown by 14 points. While the Washington Post/ABC survey in August reflected a higher approval number, 57%, than the NBC/WSJ survey, the disapproval number was the same at 40%. The drop from the WP/ABC February survey was 11 points. In the 8/25-27 Gallup survey his approval rating hit 50%.

	<u>NBC/WSJ</u>	<u>NYT/CBS</u>	<u>WP/ABC</u>
	<u>Obama overall job approval</u>		
February	60/26%	62/15%	68/25%
April	61/30%	66/24%	69/26%
June	56/34%	63/26%	65/31%
July	53/40%	----	58/37%
August	51/40%	----	57/40%

Obama ranks 8th of 9 when his ratings are matched up with other modern President's ratings at the same point (mid-August) in the first year after they were elected. (Gallup surveys):

	<u>App</u>	<u>Dis</u>
Eisenhower	74	14
Kennedy	76	12
G Bush (I)	75	16
Nixon	62	20
Carter	66	16
GW Bush (II)	57	34
Reagan	52	37
Obama	<u>51</u>	<u>42</u>
Clinton	44	47

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As would be expected, Obama's approval on his handling of particular issues has also declined.

On the economy, he has dropped 4-6 points depending on the survey. On the contrary, when it comes to foreign policy, his approval rating has increased by a small amount.

On health care, his score has remained constant over the last several months, but approval is below 50%.

And finally, on the deficit, an issue of increasing interest to many Americans, he has dropped a dozen points since April.

NBC/WSJNYT/CBSWP/WBCObama job approval on the economy

February	56/31%	55/24%	
April	55/37%	56/34%	
June	51/38%	57/35%	
July	49/44%	51/41%	
August	----	----	52/46%

Obama job approval on foreign policy

February	--	50/15%
April	56/31%	59/19%
June	54/36%	59/23%
July	57/33%	54/24%

Obama job approval on health care

June	--	44/34%	
July	41/46%	46/38%	
August	41/47%	----	46/50%

Obama job approval on Federal budget deficit

April		53/43%
June		48/48%
July		43/49%
August		41/53%

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In February, 68% had positive feelings about Obama, while 19% had negative feelings. Very positive feelings, at 47%, were 4.7 times greater than very negative feelings at 10%.

By July, 55% had positive feelings and 34% had negative feelings. Very positive feelings, at 37%, were only 1.85 times greater than negative feelings at 20%. [NBC/WSJ 7/09]

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There has been a diminution in Americans' confidence in Obama's ability to make the right decisions for the country's future. In January and April 61% and 60% were confident in his ability, while 37% and 40% lacked confidence in his decisions. Now, only 49% are confident in his ability in this area and 50% lack confidence. Those who have no confidence at all in Obama's ability to make the right choices has grown from 9% to 24%. WP/ABC 8/09]

In July, 31% still believed that Obama would bring real change in direction of the country. This was down from 43% in February. [NBC/WSJ 7/09]

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When it comes to Obama's campaign pledge to "change the way Washington works," Americans are equally divided, 49% (yes) - 48% (no).

The President also appears to be losing ground on the question of whether the overall "tone and level of civility" in Washington has improved. While 52% thought the tone was improving in early May, as of early August the number was 42%. The number thinking that the tone had worsened grew from 24% to 35%.

No surprise, the younger a person is, the more likely he or she is to believe that the President and his Administration are creating a "new spirit of idealism."

<u>Age</u>	<u>Yes</u>	<u>No</u>
18-29 years	71%	27%
30-49 years	60	38
50-64 years	56	42
65+ years	46	47

[Gallup 9/09]

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There is one area in which confidence in Obama has grown spectacularly during these first months of his Administration...in foreign countries.

In a PEW survey of 21 countries, confidence in President Bush during the last year of his Administration was 21%. Confidence in Obama is at 71%.

Here are some examples of the changes in confidence. Only in Israel, among the 21 countries, is confidence lower in Obama than Bush, if only by 1 point.

	<u>Bush 2008</u>	<u>Obama 2009</u>
Germany	14%	93%
France	13%	91%
Britain	16%	86%
Brazil	17%	76%
Argentina	7%	61%
Indonesia	23%	71%
Mexico	16%	55%
Nigeria	55%	88%
China	30%	62%
Kenya	72%	94%
Russia	22%	37%
Lebanon	33%	46%
Israel	57%	56%

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HEALTHCARE

The state of the current economy is the environment in which the healthcare debate is being conducted.

The average American is "expert" on three broad policy areas: the economy, the healthcare system, and the education system, if he or she has, or is responsible for, school-aged children. On each of these subjects, the average American does not rely on professional policy experts or elected leaders, whether national or local. They rely on their own experience and knowledge, and that of their neighbors.

If a person's employment hours are being cut; if their next door neighbor is out of a job; if houses in their neighborhood are being foreclosed; then the pronouncements from "noted economists," the Federal Reserve, or even the President, stating the recession is over or that the economy is improving are not heard; or if heard, are not believed.

The same is true of healthcare. If your health insurance does not cover certain things or a favorite doctor stops taking insurance or medicare, or drug prescriptions can't regularly be filled because they are too expensive for the patient's circumstances, then that is the basis on which they judge the healthcare system.

So as the healthcare debate goes forward, the public's concerns about other insecurities in their lives has considerable impact on their reaction to the healthcare debate.

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To further complicate the situation, Americans are saying enough is enough. For the last year and a half, if not longer, they have been besieged with the message that this problem, along with others, has to be fixed or "the world as we know it will come to an end." There were stimulus bills, "bailouts," and even the next ice age is just around the corner. They have been told for years that debt is bad, and yet it grows and grows and grows. They know that ultimately the money has to come from them or their children or their children's children.

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The Government's efforts to change the current healthcare system has a "commander-in-chief, the President. It has a "chairman of the joint chiefs", the White House Chief of Staff. However, it does not have a "commanding general" to lead the effort. This lack of an Administration leader focused solely on this issue has complicated the health care debate.

The loss of Tom Daschle as the Secretary of HHS and White House healthcare czar has had an immeasurable impact on the Administration's efforts. While the Secretary of HHS, Kathleen Sebelius, and the White House health czar are people of quality and experience, they do not bring to the effort what Tom Daschle would have brought to the table.

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Congressional townhall meetings across the country are experiencing record crowds. Is it all about the healthcare bill and are they affecting public opinion generally?

Anecdotally, the majority of people showing up at these events are not part of protesting crowds or groups organized to disrupt. Rather, these are folks who have real concerns about a variety of issues that are currently being dealt with in Washington.

A recent survey by Gallup (8/09) asked whether the protestors made folks more or less sympathetic to their views. It was a split decision. 34% said they were more sympathetic while 21% are less sympathetic. The rest say they are not affected.

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In February 2009 86% said that the economy was the most important problem facing the country. 13 months earlier, January 2008, 38% held that view. During the same time period, the number mentioning healthcare had dropped from 13% to about 10%. Today, 60% name the economy, while 25% say healthcare. [Gallup 8/09]

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There are a variety of theories about how the President and the Democratic majorities in the House and Senate might be able to pass a substantial healthcare reform bill without Republican support.

A default position that is regularly discussed is the use of the reconciliation process. The advantage of this course is that it is not subject to a filibuster and can pass the Senate with 51 votes.

While passage of the legislation under the reconciliation process places some limits on the content of the bill, it appears that enough could be included to make it a significant accomplishment.

It is assumed that Speaker Pelosi will be able to muster the votes to pass in the House anything that will clear the Senate.

By all accounts, the Budget Reconciliation Process has never been used for anything of the scope of proposed healthcare legislation. Its uses have ranged from the Tax Equity and Fiscal Responsibility Act of 1982 to the College Cost Reduction and Access Act of 2007.

Some suggest that Republicans in the Senate would be infuriated and would look for ways to retaliate procedurally. They could attempt to slow things down generally or hold up judges. But that is likely to be a short-term problem. At some stage the Republicans are likely to try and slow things down anyway as we get closer to the 2010 elections.

The fact is that the Reconciliation Process has been a regular part of Senate procedures since it was established by the Congressional Budget Act of 1974. It was used for the first time in 1980 to deal with the Omnibus Reconciliation Act of 1980. It has been used 22 times so far...14 times when Republicans controlled the White House and 8 times when Democrats were in control of the White House. Reconciliation bills have been vetoed 3 times, all by President Clinton.

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The following is a summary of a small part of the vast amount of survey research that has been published relating to the proposed healthcare legislation.

* While the number of people who think Obama's healthcare plan is a good idea has risen slightly from 33% in April to 36% in August, the number who think it is a bad idea has risen from 26% to 42%.

* The number of people who think Obama's plan will result in the quality of healthcare getting better has risen only slightly from April to August from 22% to 24%. The number who think quality will get worse has risen from 24% to 40%.

* 58% believe the government would do a bad job if given responsibility of implementing or running the healthcare system. 32% think the government would do a good job.

* 59% believe that the proposed healthcare legislation will not benefit them personally. 31% say it will.

* 55% think it is the responsibility of the Federal Government to guarantee health insurance for all Americans. 38% do not.

* 60%+ of Americans think it is a good idea to raise income taxes on households and businesses that make more than \$250,000 per year, and use the additional tax revenues to provide health insurance for the uninsured.

* Folks are split about evenly on whether it is possible to provide healthcare coverage for most Americans without increasing the budget deficit.

* 51% of respondents say they do not have a good understanding of the issues involved in the healthcare debate. 66% believe that the Members of Congress don't have a good understanding of the issues.

* There is a clear schism based on age in the nature of responses to the healthcare debate.

- 43% of those 65 and older think the changes will reduce access to healthcare. This view is shared by only 26% of those 18-49 years of age.
- 53% of those 18-49 think the changes will expand access to health care, a view shared by only 24% of 65+ folks.

* This is what Americans think about the healthcare legislation:

- 62% - will raise their healthcare costs
- 56% - less freedom to choose doctors and coverage
- 65% - make everything more complicated

* When it comes to who people would rather have make healthcare coverage and treatment decisions, 40% select insurance companies and 40% choose the government.

[The surveys from which the above items are taken include NBC/WSJ, NYT/CBS, Quinnipiac, Gallup, Time, CNN]

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The number of medical students studying to be primary care doctors dropped by near 52% since 1997. There will likely be a shortage of 40,000 family physicians by 2020. [USAToday 8/09]

A Weill Cornell Medical College study found that "a third of the money received by primary care physicians pays for interactions between a doctor's practice and patients' health plans." [NYT 6/09]

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The following is some demographic data that may be of interest.

Top Ten

State	Uninsured
Massachusetts	5.5%
Vermont	8.4%
Minnesota	8.7%
Hawaii	8.8%
Delaware	9.5%
Connecticut	9.7%
Pennsylvania	10.0%
New Jersey	11.8%
New York	11.9%
Rhode Island	12.2%

Bottom Ten

State	Uninsured
Georgia	20.7%
Florida	20.7%
Wyoming	20.7%
California	21.0%
Oklahoma	22.2%
Nevada	22.2%
Louisiana	22.4%
Mississippi	24.0%
New Mexico	25.6%
Texas	26.9%

Percentage Uninsured Among Various Demographic Groups Adults 18 and older

National Adults	16
Men	17.8
Women	14.4
Ages 18-29	27.6
Aged 30-44	20.3
Aged 45-64	14.4
Aged 65+	3.6
Less than 36k	28.6
36k-89,999k	8.8
90k +	4.5
Hispanics	41.5
Non-Hispanic Blacks	19.9
Non-Hispanic Whites	11.6
South	19.7
West	18.7
Midwest	13.5
East	10.5

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The following commentary by your editor was published in the Washington Post on August 30, 2009, as one of a number of comments in response to the following question.

"With polls showing that President Obama is losing ground. What could he do to regain the initiative?"

First, the President should not over-read or over-rely on polls. To get some perspective, check out the August 26 piece by Jeremy Rosner of Greenberg, Quinlan, Rosner Research entitled "A pollster's advice, Don't trust the polls on health reform's demise."

Second, Obama should show that he understands that people are being asked to accept changes in the health-care system while they are in the throes of actual or potential crisis in their personal financial "systems." And that he has heard the concerns raised by affected Americans nationwide. While the media attention to various town halls was in the best tradition of "if it bleeds it leads," most of the people who came out did so out of a real need and interest to learn more about health-care system proposals.

Third, invite House Speaker Nancy Pelosi and Majority Leader Harry Reid to a meeting, just the three of them, and work through with them a plan for going forward. Work "with" the Congressional leadership to come up with a single bill that represents the doable, sans the wish list of every idea for changing health-care that has been suggested in the past several decades. And get to that bill before the process kind of stumbles on to it.

Finally, choose a dramatic forum, perhaps a joint session of Congress, to lay out a bill that includes core changes but reflects having heard what is bothering the people he was elected to lead.

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THE SUPREME COURT (and the other Appellate Courts)

From 1975 through 1988, the 4 Justices (Stevens, O'Connor, Scalia, and Kennedy) nominated by Republican Presidents were confirmed without a dissenting vote. Souter received 90 votes in 1990, after being nominated by a Republican President.

The first interruption in this string of rather painless confirmations came in 1991 when Thomas, nominated by a Republican, was seated with a 52-48 vote. In 1993 and 1994, Ginsburg and Breyer, both nominated by a Democratic President, received 96 and 87 votes, respectively.

Since that time, half or more of the members of the Party not in control of the White House voted against the nominees. Roberts and Alito, nominated by Bush, were confirmed with 78 and 58 votes, respectively. Sotomayor, nominated by Obama, split the difference, receiving 68 votes, of which 57 were from the majority Democratic Party. [See complete details at the end of the newsletter.]

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Looking at the Supreme Court and the 13 Federal Appellate Courts, it will be a long time before the overall "political" bent of these courts will change in any appreciable way.

The following is a summary of the "political" membership of the Federal Appeals Courts (as of December 2008) that decide 31-32,000 cases per year ,while the Supreme Court decides 75.

Two of the courts are split 50%/50%; 10 have majority GOP membership; 1 has a majority DEM membership.

1st - 60% GOP majority	2nd - 50%/50% split
3rd - 50%/50% split	4th - 55% GOP majority
5th - 76% GOP majority	6th - 63% GOP majority
7th - 73% GOP majority	8th - 82% GOP majority
9th - 59% DEM majority	10th - 67% GOP majority
11th- 58% GOP majority	12th - 70% GOP majority
13th- 67% GOP majority	

[WP 12/08]

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2010 CONGRESSIONAL CAMPAIGNS

The public is increasingly unhappy with the job being done by Congress. In the July NBC/WSJ poll, 63% disapproved of the job being done by Congress, which is up from 58% in the same survey in June. Approval has dropped from 29% to 24%. Other national surveys show a similar pattern.

Gallup, in early-August, finds Congressional job disapproval at 62%, with approval at 31%. Approval hit a high-water mark in March at 39%. Even among Democrats, approval is less than overwhelming. 55% approve the job Congress is doing, while 40% disapprove. Not surprisingly, among Republicans 82% view the Congress as failing. But perhaps of greatest significance, 70% of Independents express disapproval.

In early July, Gallup found that among registered voters, the Democrats were ahead with a +6 point margin, 50% - 44%, when folks are asked whether they intend to vote Democrat or Republican for Congress in 2010.

93% of Republicans are voting Republican, 94% of Democrats are sticking with their Party's candidates. Independents are split dead even, 42% Dem - 43% GOP, in their stated voting intentions.

Historically, Gallup has found that this generic question put to registered voters favors the Democrats by 4 or 5 points. This suggests that 2010 is likely to be a close election in the House.

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WW looked at the impact of the unemployment rate the month before the first mid-term election of a new President. In 1982, with unemployment in October at 10.4%, George Bush (I) saw 24 Republicans lose seats in the House, but picked up 2 Senate seats. In 1994, with Bill Clinton in the White House and unemployment at 5.8%, the Democrats lost 54 House Democrats and 9 Democratic Senators.

And in 2002, with unemployment at 5.7%, George Bush (II) presided over Republicans adding 8 seats in the House and losing 1 seat in the Senate.

To remind, Obama won 34 districts which have Republican incumbents, while McCain carried 49 districts that currently have Democratic incumbents. 31 districts currently held by Democrats were won by Bush and McCain.

36% find that Congress is more partisan and divided than in the past. 26% had this view in December 2006. [NBC/WSJ 7/09]

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U.S. SENATE

The only change in the overall status of the Senate races is that WW has moved the Pennsylvania contest into the Toss-Up category.

Arlen Specter (D-PA), having made the big switch in Parties, may well have two significant contests on his way to re-election. In the Democratic primary he is facing Congressman Joe Sestak. Sestak visited all 67 Pennsylvania counties before he announced his candidacy.

In a May survey conducted by Garin-Hart-Yang Research, Specter headed Sestak by a very comfortable 40 points 56%-16%.

By mid-July Specter had a still comfortable 32 points. But in an early August survey by Research 2000, Specter had a 15-point lead and for the first time Specter's total fell below 50%, 48%-33%.

Assuming he comes through the May 2010 primary, Specter will likely face former Republican House member Pat Toomey, who Specter bested in the 2004 Republican primary. In a mid-July Quinnipiac survey Specter was essentially running even with Toomey 45%-44%.

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Chris Dodd (D-Conn) continues to trail former Congressman Rob Simmons (R-Conn) in the general election. At the end of March Quinnipiac found Dodd trailing Simmons by 16 points. In a mid-July survey by the same firm Dodd still trailed by 9, 48% -39% (Dodd)

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Harry Reid (D-NV) has a fight on his hands as he seeks re-election. A recent Mason-Dixon poll shows Reid trailing Danny Tarkanian ®) by 38% to 49%. He also trails Sue Loudon by 40% to 45%. Tarkanian is a real estate developer who twice

previously failed in efforts to be elected Secretary of State and to the State Senate. Sue Louden is the Chair of the Republican State Party.

* * * * *

Beyond the races above, some of the following races will or could become interesting.

The Democratic seats in Illinois and Colorado would seem to be the most problematic of that Party's seats. Delaware could become interesting. Blanche Lincoln (D-AR) may have a primary and a couple of Republicans who have not even announced their intention to run are within the margin of error and head-to-head matchups.

Republicans should be most concerned about Ohio, Missouri and Kansas, where popular incumbents are retiring.

THE U.S. SENATE

Democrats 57
 Republicans 40
 Independents 2 (caucus Dem)
 Open 1

Here is how the 37 Senate elections (18 Democratic incumbents, 19 Republican incumbents) look to me at this time (underlining reflects retirement). (D=Dem incumbent in office, R=GOP incumbent in office, I=Ind. incumbent in office)

Safe	Leaning		Leaning	Safe
<u>Democratic(9)</u>	<u>Democratic(6)</u>	<u>Toss-Up(7)</u>	<u>Republican(3)</u>	<u>Republican(12)</u>
Arkansas	California	Connecticut	<u>Florida</u>	Alabama
<u>Delaware</u>	Colorado	Illinois	Louisiana	Arkansas
Hawaii	Nevada	<u>Kentucky</u>	No. Carolina	Arizona
Indiana	No. Dakota	<u>Missouri</u>		Georgia
Maryland	Washington	<u>New Hampsh.</u>		Idaho
New York(A)	Wisconsin	<u>Ohio</u>		Iowa
New York(B)		Pennsylvania		<u>Kansas</u>
Oregon				Oklahoma
Vermont				So. Carolina
				So. Dakota
				Texas
				Utah

	<u>Democrats</u>	<u>Republicans</u>	<u>Ind</u>
Seats not up in 2010	40	21	2
Safe in 2010	9	12	0
Leaning in 2010	6	3	0
Total	55	36	2
Toss-ups	7 (4R/3D)		

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U.S. HOUSE

It is 13 months before the mid-term election, and anything can and will happen. Charlie Cook has suggested that as of now Democratic losses in the House could hit 20. A result in this neighborhood would dramatically affect the ability of the House leadership to work its will in the next Congress.

THE U.S. HOUSE OF REPRESENTATIVES

Democrats 256

Republicans 176

Vacancy 3

	<u>4/1/09</u>	<u>6/4/09</u>	<u>8/15/09</u>
Total Dem	255	257	256
Solid Dem	204	198	195
Likely Dem	29	34	37
Lean Dem	20	21	17
Toss Up	2	4	9
D	2	4	7
R	0	0	2
Lean GOP	6	6	9
Likely GOP	26	36	27
Solid GOP	147	134	138
Total GOP	179	176	176

[As always, thanks to the “Cook Political Report,” which is the best when it comes to analysis of Congressional races (as well as other electoral matters).

* * * * *

THIS AND THAT

ABOUT ANNE WEXLER

It seems like I knew Anne Wexler forever, but it was only 30+ years. I have known Joe Duffey, her husband, for the same length of time. For a large part of that time, Anne and Joe lived in the Colonnade where I live (along with Bob Barnett and Rita Braver).

Bob Barnett, in his good piece about Anne in “Politico,” claims that he and Rita shared 500 movies, about 2,500 meals, and 25 years of Christmas eves with Anne and Joe. I must concede that my records are not as good as Bob's, but Carol and I were a part of good many of those movies, meals and Christmas eve gatherings.

Anne and I worked on so many campaigns, projects and business activities that I could not begin to recount them.

But here is what I know. She was an extraordinary person. If you were her friend, you could not have a better friend. If you needed a mentor and you connected to Anne

you were golden. And working on a campaign together, you had no better colleague and you knew she always had your back. If you were working on the same side of an issue, you knew there was no greater ally. And if you were on the opposite side of an issue from her, you better bring your A game, because you were in for a tough, but fair, fight.

In her work for Jimmy Carter she connected more people to the White House's efforts than one could ever imagine possible.

In what was first Wexler and Associates, and now Wexler Walker, she built an extraordinary business from zero.

And if you ever needed a touchstone to remind yourself what a true progressive/liberal should be...Anne was the only place you needed to go.

Anne was the perfect combination of smarts, judgement, perspective and sensitivity.

She was a very special daughter, mother and spouse. I know how much Joe and her family miss her. I am one of the many who are close behind them. Anne will not be forgotten.

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On the bus again. Bus transportation grew by 20% between 2005 and 2007, from 631 million passenger trips to 751 million passenger trips. [NYT 8/30/09]

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In the realm of "no good deed goes unpunished" – the apparent success of the so-called "clunker" program has created potential problems for two other automobile related programs.

There are a number of charities that rely on donation of cars for a goodly portion of their annual budget. You donate your car, you get a charitable tax deduction, and the charity sells the car into the used car market. The proceeds go to support the charity's programs.

All of the "clunkers" are scrapped. Many cars that would otherwise end up in the used car market, to be purchased by folks of more modest means, will not work their way into new hands. The result is likely to be an increase in the resale price of those vehicles that do end up in that market place.

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RESTAURANTS

INOX Restaurant
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reservations@inoxrestaurant.com
www.inoxrestaurant.com

INOX (which means stainless steel) was opened in February by Jonathan Krinn and Jon Mathieson. We know Krinn from his previous stint as Executive Chef of 2941. (WW March 2003) Mathieson most recently was the Chef de Cuisine at 2941 as well. Before that he was Executive Chef at Michael Mina at Bellagio in Las Vegas.

We went to INOX because Joel Jankowsky recommended it highly.

The restaurant is modern and has windows for walls on two sides, from floor to high ceiling. To the left, as you enter, is a comfortable bar and lounge that has a menu of small bites.

The dining room has a nice open feel, and seats about 100 people in tables of 2s, 4s and 6s. There is a row of 2-person tables, which can often be off-putting because separate couples are so close, there is no opportunity for private conversation. In this case the tables seem far enough apart to avoid that problem. And, even though the restaurant has a modern feel, the chairs are comfortable.

There are four private dining rooms. Two of them, the Chef Dining Rooms, seat 10 each, but can be opened to accommodate 20 at two tables of 10. The Amber Room seats 50 and the Gallery Room 60. These rooms also can be combined to seat 120 for dinner or 150 for a reception.

But, it strikes WW that the most interesting place to eat is the Chef's Table, which seats up to 8 people. The kitchen is one level down from the dining room, and is observable through a glass wall. The Chef's Table is on that lower level and separated from the kitchen by a glass wall.

Dinner started with an amuse bushe. My guest had squash soup and I had a tiny watermelon layered with a tiny slice of tomato.

Ileen started with a Local Heirloom Tomato Salad with a mosaic of watermelon, micro basil, and Spanish goat cheese. For her entree she chose West Coast Halibut with roasted eggplant-tomato fondue, white asparagus, new potato boulangere.

I opted to start with the Sweet Yellow Corn Veloute with a blue crab-corn beignet, followed by Crispy Skate Wing and Day Boat Scallops with green asparagus, potato confit, lettuce emulsion, fresh Summer truffles, cucumbers, and black radish.

All of the portions were just the right size, and the combination of tastes presented with each of the dishes was a treat.

For dessert I selected a Dark Chocolate Covered Cherry Bread Pudding with Amerena Cherry Ice cream.

There is a nice range of starters, entrees to suit all tastes, and a savory list of desserts.

There is also a six-course tasting menu.

The service has a nice energy and is very attentive.

Then there is the bread. A long while back, I wrote about my ophthalmologist, Dr. Mal Krinn, who had progressively given up ophthalmology to become a breadmaker. Eventually, he became the full-time breadmaker at 2941 in Falls Church (WW March '03).

Well, no surprise, Mal has moved with his son to INOX. The bread is as good, if not better, than ever. I tried the pumpernickel and the garlic bread. They continue to pass the most important test, great taste without any form of topping.

The men's room that I used is reached by going down two short sets of stairs and down a hall and around the corner. It is, of course, quite new and very large, given that it contains only a single white ceramic commode and a single metal wash basin in a stone like counter. The walls are covered in very large dark brown tiles; the ceiling painted a cream color. The floor is covered with large horizontal Italian tiles, each in various shades of brown. [There is another rest room on the same level as the dining room.]

The best thing about the restroom (and the women's room as well) is the hallway leading to them. There is a window about 10 feet long and 3 feet high that looks directly into the working kitchen. Give yourself a few moments to watch the various chefs, etc., as they prepare various courses.

The restaurant is open for dinner Monday through Saturday, with Sundays added on September 13th. It is also open for lunch Monday - Friday. The restaurant is available for breakfast events.

There is valet parking at the front door.

Getting to INOX is an easy shot out Highway 123. Mapquest has clear directions.

Mike

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Justice	Year Nominated	Nominated By	Vote	Partisan Split in Senate	Vote by Party	
Stevens	1975	Ford	98-0	D-61	Yes	
			NV = 2	R-37	No	
				I-1, C-1	NV	
O'Connor	1981	Reagan	99-0	D - 46	Yes	D - 45 R - 53 I - 1
			NV = 1	R - 53	No	
				I - 1	NV	D - 1
Scalia	1986	Reagan	98-0	D-47	Yes	D - 47 R - 51
			NV = 2	R-53	No	
					NV	R - 2
Kennedy	1988	Reagan	97-0	D-55	Yes	
			NV = 3	R-45	No	
					NV	
Souter	1990	Bush 1	90-9	D-55	Yes	D - 45 R - 44
			NV = 1	R-45	No	D - 9 I - 1
					NV	R - 1
Thomas	1991	Bush 1	52-48	D-57	Yes	R - 54 D - 4
				R-43	No	D- 40 R-1 I - 1
Ginsburg	1993	Clinton	96-3	D-56	Yes	D - 55 R - 41
			NV = 1	R - 44	No	R - 3
					NV	D - 1
Breyer	1994	Clinton	87-9	D-56	Yes	D - 56 R - 33
			NV=4	R-44	No	R - 9
					NV	R - 2 D - 2
Roberts	2005	Bush 2	78-22	D-44	Yes	R - 55 D - 22 I - 1
				R-55	No	D- 22
				I-1		
Alito	2006	Bush 2	58-42	D-44	Yes	R - 54 D - 4
				R - 55	No	D - 40 R - 1 I - 1
				I-1		
Sotomayor	2009	Obama	68-31	D - 58	Yes	D - 57 R - 9 I - 2
			NV - 1	R - 40	No	R - 31
				I - 2	NV	D - 1