



# RESURGENT REPUBLIC

## MEMORANDUM

**TO:** Interested Parties

**FROM:** Ed Gillespie, Whit Ayres and Leslie Sanchez

**DATE:** June 24, 2010

**RE:** Less than Half of Voters Support Kagan Confirmation, Trouble Signs Seen in Past Stands

### *Overview*

A plurality of likely voters in the November elections supports Elena Kagan's confirmation, by a 46 to 28 percent margin with 26 percent undecided. But her past positions on military recruitment while at Harvard and the District of Columbia's handgun ban could harm that support, with undecided voters overwhelmingly saying they would be less likely to support a senator who voted to confirm Kagan on both issues.

The general political environment has declined even from what we saw in April's survey, with deterioration for the right direction/wrong track numbers to a dismal 27 to 64 percent margin. The economy and jobs continue to be the most important issue to voters (named by 39 percent), with fewer mentions of health care (down from 16 percent to 9 percent) and a significant number of mentions for the environment and Gulf oil spill (7 percent).

President Obama's favorable to unfavorable rating dropped slightly from 51 to 45 percent in April to 49 to 45 percent with a job approval figure below 50 percent (49 to 48 percent). Speaker Nancy Pelosi's favorable to unfavorable rating is currently 32 to 50 percent, while Senate Majority Leader Harry Reid's rating is 19 to 36 percent. Both parties in Congress hold a net unfavorable rating, with a 36 to 49 percent rating for Republicans in Congress (-13) and a 40 to 49 percent rating for Democrats in Congress (-9).

**As we noted in April, Independents are more likely to agree with Republicans on the political environment.** Independent voters view the President unfavorably by a 47 to 45 percent margin (85 to 9 percent unfavorable among Republicans and 89 to 8 percent favorable among Democrats). Just 18 percent of Independents think the country is heading in the right direction while 72 percent think the country is off on the wrong track (4 to 93 percent among Republicans and 56 to 31 percent among Democrats).

## *Elena Kagan's Nomination*

- 1. A plurality of voters supports Kagan's confirmation to the Supreme Court.** Voters support her confirmation by a 46 to 28 percent margin with 26 percent undecided, including a 40 to 27 percent margin among Independents, a 77 to 6 percent margin among Democrats, and an 18 to 53 percent margin among Republicans.
- 2. Half the voters would be less likely to support a senator who votes to confirm Kagan in light of her stand on military recruitment while at Harvard.** Kagan's denial of full access to recruit students at Harvard Law School because of the military's policy regarding homosexuals makes 47 percent of voters less likely to support a senator who votes to confirm her and makes 31 percent more likely to support a senator who votes to confirm her. Independents would be less likely to support a senator knowing this (50 to 25 percent, compared to 70 to 11 percent of Republicans). Democrats say this information makes them more likely to support a senator who votes to confirm her by a 53 to 25 percent margin. Voters who are undecided regarding her confirmation would be less likely to support a senator who votes to confirm Kagan in light of her actions regarding this issue by a nearly three-to-one margin (43 to 15), and 27 percent of her current supporters would be less likely to support a senator who votes to confirm her (54 percent more likely).
- 3. Similar results are found regarding Kagan saying she was not sympathetic to claims that the District of Columbia's handgun ban violated the constitutional rights of residents.** Voters would be less likely to support a senator who votes to confirm Kagan in light of her position on the DC handgun ban by a 49 to 28 percent margin, including a 49 to 24 percent margin among Independents and a 71 to 13 percent margin among Republicans (46 to 29 percent more likely to support among Democrats). Voters who are undecided regarding her confirmation would be less likely to support a senator who votes to confirm Kagan in light of this position by a three-to-one margin (45 to 14), and 32 percent of her current supporters would be less likely to support a senator who votes to confirm her (48 percent more likely).

## *The Political Climate*

- 1. Nearly two-thirds of the electorate say the country is off on the wrong track.** Voters say the country is on the wrong track by a 64 to 27 percent margin, including a 69 to 24 percent margin among absolutely certain voters. The economy remains the most important issue with 39 percent of mentions. Republicans say the economy is the most important issue (35 percent), but government spending and debt reach 12 percent and health care reaches 10 percent. Only the economy reaches double-digit mentions among Independents (39 percent) while the environment and Gulf oil spill reaches 11 percent among Democrats (45 percent say the economy).
- 2. Independents view Barack Obama unfavorably.** The President has a net favorable rating overall (49 to 45 percent) helped by an 89 to 8 percent rating among Democrats. But Independents give him a 45 to 47 percent rating and Republicans give him a 9 to 85 percent rating. Similarly, the President's split job approval (49 to 48 percent) masks a 44 to 51 percent rating among Independents (10 to 87 percent among Republicans and 88 to 9 percent among Democrats).

- 3. Nancy Pelosi has more than a two-to-one net negative rating among Independents and Harry Reid has a three-to-one net negative rating among Independents.** Speaker Pelosi has a 32 to 50 percent favorable to unfavorable rating overall, including a 24 to 56 percent rating among Independents. Majority Leader Reid has a 19 to 36 percent rating overall, including a 13 to 40 percent rating among Independents. Democrats in Congress have a 40 to 49 percent rating (28 to 57 percent among Independents) while Republicans in Congress have a 36 to 49 percent rating (31 to 51 percent among Independents).

### *Methodology*

This survey of 1000 likely voters was conducted June 20-23, 2010. Respondents were selected randomly from a random-digit-dialing sample including both cell phone and landline telephone numbers. All respondents confirmed that they are registered to vote in the county in which they live. Quotas were set for state, age, and race reflecting previous turnout; and the sample was minimally weighted to maintain the partisan balance in April's survey of 36 percent Democrat and 32 percent Republican.

The margins of error for responses with an even split – 50 percent for one response and 50 percent for another response – is  $\pm 3.10$  percent for the full sample,  $\pm 5.48$  percent for Republicans,  $\pm 5.75$  percent for Independents, and  $\pm 5.17$  percent for Democrats. The margin of error is smaller when one response receives a higher level of support. For example, the margin of error is  $\pm 2.68$  percent when 75 percent of respondents in the full sample choose one response and 25 percent choose another response.