

Cozen Currents: Why Do People Hate President Biden?

The Cozen Lens

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Republicans love to cuss out the president while Democrats aren't feeling much love for their party leader. Yet the success and longevity of Joe Biden's presidency won't be measured by who he is and how many memes are generated about him, but rather by who he's not and the policies implemented under his watch.

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Historical trends would indicate that Republicans should easily reclaim control of both the House and Senate this fall, but unique circumstances this year have led forecasters to predict a much tighter battle and many are favoring the Democrats to hold the Senate.

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California lawmakers have passed a major children's online privacy and safety bill, and with comprehensive data privacy legislation stalled in Congress, the Federal Trade Commission offers the most likely route to enacting new federal privacy standards in the near future.

Should Biden Take 'Let's Go, Brandon' Personally?

Does Every Republican Hate Joe? In tribal politics, parties look for a code word that symbolizes one's standing in the club. Today, the GOP has found that in "Let's Go, Brandon" – an innocuous phrase that symbolizes a cruder angst.

- Just five percent of Republicans approve of Biden's presidency. That's nearly twice as bad as Democratic approval of Trump's presidency. Of the Republicans who disapprove of President Biden, 82 percent "very strongly" disapprove. Almost two years after the 2020 election, still only 31 percent of Republicans believe Biden is the legitimate winner.
- The "Let's Go, Brandon" meme isn't the first vulgar euphemism in presidential politics. Even President Grover Cleveland in the 1800s dealt with it. But today's partisan echo chamber and social media create a tinderbox for such vulgarities to flourish, with many conservative elites and politicians eager to embrace it.
- Republicans aren't enraged by Biden, the person, like they were with Barack Obama, Hillary Clinton, or even Bill Clinton. They are enraged by the culture wars, the economy, the pandemic, and a changing America. Republicans view Biden more as weak and feeble than an actual threat.

Does Any Democrat Love Joe? Biden likes to say, "Don't compare me to the Almighty. Compare me to the alternative."

- Democrats fell in line, not in love, with Biden. He won the 2020 Democratic nomination because he was perceived as the most electable. He won the general election because he wasn't Trump. Less than half of the Democrats who approve of Biden today do so "very



Howard Schweitzer

CEO, Cozen
O'Connor
Public
Strategies

hschweitzer@cozen.com
Phone: (202) 912-4855
Fax: (202) 640-5932

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strongly."

- Biden called himself "a bridge" to the next generation of leaders in 2020. A majority of Democrats don't want him to run for reelection.
- Senate Majority Leader Chuck Schumer (D-NY), among others, is dodging the Biden 2024 question. The one Democrat still heralding another Biden run is the one who single-handedly saved his 2020 election – House Majority Whip James Clyburn (D-SC).

Don't Underestimate Joe. Biden has been underestimated and ridiculed by voters and party elites for much of his career. Yet here he is, 50 years after his first run for Senate, at the pinnacle of power when many of his contemporaries are long gone. It's that exact dismissal of Biden today that has and will continue to power him.

- Biden likes to prove people wrong. He has an instinctual chip on his shoulder to overcome a childhood stutter, a plagiarism scandal, and even an eye-rolling Obama.
- For a soon-to-be-octogenarian viewed as uninspiring and mentally past his prime, Biden experienced one of the most successful years for a president on record. He signed the biggest industrial policy bill (CHIPS and Science Act) in over 40 years, the biggest climate bill (Inflation Reduction Act) ever, and the most consequential gun control legislation in nearly 30 years. He led a global coalition in the war in Ukraine and oversaw the killing of the top Al Qaeda leader.
- Republicans don't like Biden but they aren't organizing against him like the Women's March in the Trump years and the Tea Party in the Obama years.
- Biden's banality is paying political dividends for Democrats. Voters who "not so strongly" disapprove of Biden still prefer Democrats over Republicans in the midterms by a 14-point margin. He continues to lead Trump in a potential 2024 rematch.

2022 Midterms: Is This Time Really Different?

Is History Destined to Repeat Itself? Going into this year's midterm elections, nearly all historical trends favor Republican success.

- In the House, the president's party has gained seats just twice since World War II, in 1998 and 2002. The Senate tells a similar, though less extreme tale.
- Another reason for Democrats to worry is that after Labor Day there is typically a pro-Republican shift in both the generic ballot and individual races. Part of the reason for this is how pollsters measure the voting public with most switching to registered voters from likely voters as the election nears, which historically favors the GOP slightly.
- The problem that Democrats seem unable to shake is President Biden's low approval ratings and the economy's high inflation levels. Inflation remains the top issue for voters and Republicans continue to be seen as the more trustworthy party to handle economic issues.

Variety Is the Spice of (Electoral) Life. The upside for Democrats in this year's midterms is that there are several atypical factors in play that seem to bolster their chances.

- With the Supreme Court's Dobbs decision, Democrats were given a way to energize their base. This has already bolstered Democrats in electoral results and voter registration, particularly among women, from this summer.
- Senate Republicans struggled this year with recruiting quality candidates. This cycle's crop includes several first-time, Trump-backed candidates that are seen as vulnerable, such as Blake Masters in Arizona, Mehmet Oz in Pennsylvania, and Herschel Walker in Georgia. This has led to Senate Minority Leader Mitch McConnell (R-KY) publicly downplaying the chances for the GOP to reclaim the Senate. As Republican leader, McConnell has never lost seats in a midterm election.
- As bad as Biden's approval rating is, what is unusual is that it is improving as Election Day approaches. His average approval rating is near 43 percent, a level not seen since mid-March. Since 2006, the president's approval rating has tended to trend down in the months leading up to the midterm elections.

Races in the Spotlight. While these ahistorical factors may not be enough to overcome the structural advantages for Republicans in the House, it has moved the Senate consensus to be a toss-up or even lean Democratic with control set to hinge on a few key races.

- One to watch is in Pennsylvania between Oz and Lieutenant Governor John Fetterman (D-PA). Fetterman currently holds a 6.5 percent average polling lead. History is on Oz's side, however, as in 35 open Senate races since 1982, the candidate from the president's party has lost 32 of them. But history and any fall polling shift could be limited if Oz can't rally the GOP base after barely winning the contentious primary and Fetterman better appeals to independent voters.
- Senator Catherine Cortez Masto (D-NV) faces a test from former state Attorney General Adam Laxalt (R-NV) in Nevada. Cortez Masto is leading in the polls by just under two percent on average. While neither candidate is making many waves, underlying demographic shifts in Nevada – a large working class population, outsized impact of inflation and the pandemic, and the rightward shift of Hispanics – makes Laxalt a real contender.
- In Georgia, Senator Raphael Warnock (D-GA) is in a tight race against former football legend Herschel Walker. The polling is effectively tied. While he certainly is not the strongest candidate, Walker is helped by anti-Biden sentiment.

Golden State Sets Gold Standard on Data Privacy

California Dreamin'. California legislators took a big step forward on data privacy last month by passing a bill to boost protections for children online.

- The California Age-Appropriate Design Code Act passed both chambers of the California legislature unanimously. The bill now heads to Governor Gavin Newsom's (D) desk.
- The bill, if signed into law, would introduce new requirements for platforms, such as Meta-owned Instagram as well as TikTok, to protect children's privacy and safety online. Platforms would be obligated to account for children's mental and physical health in the design of their offerings. Major components of the bill include high default privacy settings for children, mandatory Data Protection Impact Assessments for products used by children, and restrictions on the collection and use of children's personal data. Notably, the bill sets an age threshold of 18 years old, higher than the limit of 13 years old set by the federal Children's Online Privacy Protection Act.
- The California bill could serve as a model for other states in tightening rules to protect underage users on the internet. Children's online safety and privacy is a highly bipartisan issue and legislation on this topic is unlikely to be limited just to blue states.

Federal Data Privacy Legislation. Over on the East Coast, the federal legislative outlook for the comprehensive American Data Privacy and Protection Act (ADPPA) in Congress looks much dimmer.

- The ADPPA hit a major roadblock earlier this month when House Speaker Nancy Pelosi (D-CA) released a statement backing government officials from her home state who've thrown cold water on the bill. Newsom and the state's privacy regulator, the California Privacy Protection Agency, have sounded the alarm about the ADPPA's preemption of state privacy rules like California's.
- Though Pelosi said that work will continue on the ADPPA, it's unlikely that a compromise could be hammered out before the midterms, and there won't be much time in the lame duck session. Moreover, the passage of the California Age-Appropriate Design Code Act could make passage of federal children's privacy legislation less likely because it could bring up the same thorny question of preemption. Setting national standards without weakening California's rules and losing the support of Golden State lawmakers could be a tricky needle to thread.

FTC Rulemaking. The Federal Trade Commission (FTC) released a notice of proposed rulemaking last month on data privacy and security.

In a press release, the FTC announced that it was considering developing new rules on "harmful commercial surveillance and lax data security." The agency defined "commercial surveillance" as the "business of collecting, analyzing, and profiting from information about people." A fact sheet released by the FTC last month highlighted some specific concerns, including inadequate data security practices, the impact of commercial surveillance on children, consumer-unfriendly data collection practices, inaccurate and discriminatory effects of algorithms, and dark patterns.
