

**"LESSONS NOT LEARNED
FROM 9/11"**
by Jean Parvin Bordewich

Michael Baumgartner discusses how the
September 11th terrorist attacks set
him on a career in public service.



The Ripon Forum

September 2026
Volume 60, No. 4

READING THE LEAVES

**David Winston & Myra Miller assess the political landscape
for Republicans heading into the fall.**

Plus: Matt Gorman reveals the new battleground of this year's election.

And: Andrew Busch examines the history of the midterm curse.

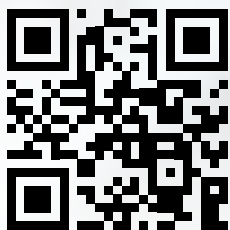
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1. Global burden of bacterial antimicrobial resistance in 2019: a systematic analysis, The Lancet 2022; S0140-6736(21)02724-0.



The Ripon Forum

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Volume 60, Number 4

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In publishing this magazine, The Ripon Society
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and independent thinking within
the Republican Party.



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In this edition

With the 2026 midterm elections now less than two months away, the latest edition of *The Ripon Forum* examines the political landscape for Republicans heading into November, the new battleground for candidates in this year's campaign, and the history of the midterm curse that so often bedevils the incumbent president's party.

"In the midterm election," write veteran GOP pollsters David Winston and Myra Miller in the cover essay for this latest edition, "voters will assess whether Republicans have made progress in addressing their priorities. Numbers from our June survey indicate a challenging environment ... President Trump's job approval could pose a headwind for many Republican candidates in competitive districts."

That said, the pair also write that there is a pathway for GOP candidates to win in November by focusing on one of the lesser known accomplishments of the One Big Beautiful Bill passed last year. "Republicans have focused more of their messaging around no tax on tips and overtime," Winston and Miller write, "but their biggest opportunity to show how the bill prevented a tax increase may be the standard deduction, which the Treasury Department says over 127 million tax filers claimed in 2025."

In another essay geared around the political landscape, Matt Gorman, Chief Communications Officer for Targeted Victory, examines how political communication has been transformed. "The communications playbook has been rewritten," Gorman writes. "Not because television disappeared or newspapers stopped mattering. But because campaigns no longer decide where voters get their information." He argues that authenticity, not message discipline, now determines who wins the fight for attention—which, he contends, is "the real battleground in modern politics."

Andrew E. Busch, Professor and Associate Director in the Institute of American Civics in the Howard H. Baker Jr. School of Public Policy and Public Affairs at the University of Tennessee, examines the history of another factor that is expected to come into play this election — the midterm curse. "From 1894 through 1990, midterm elections produced a change in the party majority in at least one house of Congress in six of 25 elections. Seven of the eight midterm elections between 1994 and 2022 did so. Will 2026 repeat the normal midterm pattern or join the ranks of the rare exceptions? There are good reasons for Republicans to fear the worst."

In other essays examining the upcoming election, *Forum* Deputy Editor Caroline Banaszak-Thomas profiles rising Republican candidates to watch across House, Senate, and gubernatorial races, and Ethan Rosier, a Frenzel Fellow at The Ripon Society, examines how Gen Z voters may reshape the electoral map.

As America prepares to mark the 25th anniversary of the September 11, 2001, terrorist attacks, this edition also reflects on the enduring lessons of that day. Shilo Brooks, President and CEO of the George W. Bush Presidential Center, writes movingly about the unity that followed the attacks. "The unity of our nation after 9/11 showed what is best in the American spirit, and reminded us what it means to embrace each other as fellow Americans," Brooks observes, arguing that this same spirit remains available to us today without requiring another tragedy to summon it.

Jean Parvin Bordewich, president of Guilford College and a former member of the second Continuity of Government Commission, warns that critical lessons from that day remain unlearned. "Imagine the political uproar if Speaker Nancy Pelosi succeeded President Donald Trump, or Speaker Mike Johnson replaced President Joe Biden should both President and Vice President have been killed," she writes, making the case that Congress must finally reform presidential succession law.

In other essays, Charles Blahous of the Mercatus Center argues that Social Security's fiscal challenges deserve far more attention than they're receiving on the campaign trail. Walter Olson of the Cato Institute explains why the Framers wanted the states, and not Washington, to control congressional elections. David French of the National Retail Federation exposes the latest effort by trial lawyers to abuse the nation's legal system through frivolous lawsuits.

And in the latest Ripon Profile, Congressman Michael Baumgartner of Washington reflects on how 9/11 impacted his life and launched him into a career of public service.

As always, we hope you find this edition of *The Ripon Forum* interesting and informative, and we welcome your comments and or suggestions you might have.

Lou Zickar, Editor
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25 Years after 9/11, the Memory of National Unity Still Resonates Today

Americans don't need another tragedy to come together

by SHILO BROOKS

Twenty-five years after the horrific events of September 11, 2001, united our country in strength and sorrow, Americans continue to join hands on this day as we remember the thousands who lost their lives in the deadliest terrorist attacks on U.S. soil in our history.

In his address to the nation that evening, President George W. Bush stated that “terrorist attacks can shake the foundations of our biggest buildings, but they cannot touch the foundation of America.” That foundation is still strong today, even amid polarization in our nation and our world.

In the aftermath of 9/11, Americans overwhelmingly supported their government. The president’s post-9/11 approval rating rose to 92 percent just months after a divided election. About 60 percent of U.S. adults expressed trust in the federal government – a level not reached in the previous three decades or in the two decades since, according to Pew Research from that October. That month, 79 percent of U.S. adults said they had displayed an American flag and most said they often felt patriotic because of the attacks.

The unity of our nation after 9/11 showed what is best in the American spirit, and reminded us what it means to embrace each other as fellow Americans. Compassion, courage, goodwill, justice, and principled leadership brought us together without concern for race, religion, or political philosophy. These are the same American ideals that bind our nation today. 9/11 reminds us that America is a nation of civic purpose and virtue of character – and that it shouldn’t take a tragedy

to turn neighbors into friends.

Hours after evacuating the Capitol, about 150 members of Congress from both houses and both political parties stood on the building’s East Front steps and sang “God Bless America.” On September 14, President Bush visited the site of the Twin Towers and began his famous impromptu remarks by seizing a bullhorn and telling New Yorkers that the nation stood with them, issuing the courageous rallying cry: “I can hear you! I can hear you! The rest of the world hears you! And the people who knocked these buildings down will hear all of us soon!”

The spirit of that day was embodied by the man he stood next to while speaking those words. Bob Beckwith, a 69-year-old retired firefighter from Queens, New York, had taken his old gear out of the closet and raced toward Ground Zero to help save others. Beckwith was part of the bucket brigade, in which citizens and first responders passed along buckets filled with rubble to clear debris and search for victims. “It’s not about me,” Beckwith later said. “It’s about the president

and the country, and it was for a terrible tragedy. I’m not gonna pat myself on the back, I didn’t do anything.”

Days later, President Bush led with compassion at the Islamic Center of Washington, D.C., when he supported American Muslims who were being harassed in the aftermath of the attacks. On that day, he urged Americans to listen to their better angels: “Those who feel like they can intimidate our fellow citizens to take out their anger don’t represent the best of America, they



Shilo Brooks

The unity of our nation after 9/11 showed what is best in the American spirit, and reminded us what it means to embrace each other as fellow Americans.

represent the worst of humankind, and they should be ashamed of that kind of behavior.”

Leadership that combines conviction with compassion can help unite our country if it shows citizens what is most important in our national life. Not the headlines, not the performative political arena of D.C., not ego and posturing, but care for our communities and respecting our neighbors as reasonable people of goodwill.

Two months ago, as we celebrated the 250th anniversary of our nation, President Bush described the small things each of us can do to bring our country back together:

“There are many people, particularly the young, who are willing to help a neighbor in need, who man homeless shelters or help with soup kitchens without the government telling them to do so,” he said. “They’re motivated by love of their fellow citizens. It is what I call the armies of compassion. I’m pleased to report the

armies of compassion remain strong today. And so long as they do remain strong, I’m very optimistic about the future of the next generation.”

Find ways to join the armies of compassion. Volunteer in your community, help your neighbor, or find other ways to give back what our nation gives to each of us. American unity will only be possible when we rededicate ourselves to the American tradition of noble public service that calls each of us to be citizens, not spectators. **RF**

Leadership that combines conviction with compassion can help unite our country if it shows citizens what is most important in our national life.

Shilo Brooks is President and CEO of the George W.

Bush Presidential Center and Professor of Practice in the Department of Political Science at SMU. He was previously Executive Director of the James Madison Program in American Ideals and Institutions at Princeton University, where he taught in the Department of Politics.



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Keep the Government Running: *Lessons Not Learned from 9/11*

by JEAN PARVIN BORDEWICH

In the aftermath of the horrific events of Sept. 11, 2001, after the airplanes commandeered by terrorists obliterated the World Trade Center and struck the Pentagon, frightening questions lingered: What if the fourth (and possibly fifth) plane had hit their targets in the capital? Would they have wiped out Congress and possibly the White House and president, too? Could the federal government have responded to such a national crisis? Who would quickly fill the places of the dead officials?

Since 9/11, additional threats have emerged: the anthrax mailings, violence against politicians of both parties, the COVID pandemic, and the Jan. 6, 2021, attack on the US Capitol that threatened the Vice President, as well as the Speaker and Senate president pro tempore and other members of Congress. These events proved that no disaster is now unthinkable.

Following the existing rules for succession could easily inflame political discord at the worst possible time, turning a catastrophe into an enduring national nightmare. Imagine the political uproar if Speaker Nancy Pelosi succeeded President Donald Trump, or Speaker Mike Johnson replaced President Joe Biden should both President and Vice President have been killed.

In the wake of 9/11, two Washington, DC, think tanks, the American Enterprise Institute (AEI) and the Brookings Institution, convened a bipartisan Continuity of Government commission in 2002 to study the state of laws regarding succession. Congress enacted none of its recommendations. A second bipartisan commission, hosted by AEI in 2021, published updated recommendations for Congress and the

Presidency. Again, Congress paid scant attention. Both commissions were co-directed by John Fortier and Norm Ornstein, Congressional scholars who have advocated for succession reform for decades. Reb Brownell, another commissioner, continues to research fine-grained aspects of the legal framework for continuity.

The existing system can't rapidly reconstitute a functioning Congress. Under the Constitution, Members of the House can be replaced only by a general election, which takes time to organize. Senators can be replaced by their state's governor, at

least temporarily, in all but five states, which enables the Senate to quickly get back to work. But a Congress with a Senate and no House can hardly respond to the needs of a country under attack or in turmoil. Proposals for a Constitutional amendment have gone nowhere. An attempted work-around in House rules to allow a smaller quorum is problematic, and legislation to accelerate special elections did not shorten the time enough.

Presidential succession, too, becomes perilous if both the president and vice president are killed or disabled. Under the current system, there's no guarantee that the Speaker and Senate president pro tempore will be from the same party as the president – creating a potential political tinderbox. Another obstacle would come if the president is dead and the vice president – next in line – is alive but too incapacitated to function, blocking a replacement from further down the line of succession.

The order of Presidential succession can and has been established by statute, without a Constitutional amendment, three times. It's time to change it again.



**Imagine the political uproar if
Speaker Nancy Pelosi succeeded
President Donald Trump, or Speaker
Mike Johnson replaced President Joe
Biden should both President and Vice
President have been killed.**

Article II, Section I of the Constitution gives Congress authority to decide the line of succession if both the president and vice president are unable to serve. The first Congress couldn't agree, but eventually the second Congress passed the Presidential Succession Act of 1792. A fault line emerged during debate that has been fought over ever since: Should legislators be in the line of succession or not? James Madison argued for Cabinet-only succession. But that would have put Thomas Jefferson, Secretary of State, at the front of the queue and his enemies in Congress refused to do that.

The 1792 statute thus added first the Senate president pro tempore and second, the Speaker of the House as successors should there be no vice president to serve. (Creating a dispute over separation of powers that has kept legal scholars busy ever since.) At that time, before the 25th Amendment, there was no way to fill a vice-presidential vacancy, and Congress was often out of session for months at a time. With no vice president, and no President pro tempore or House Speaker in place, a dangerously long gap could ensue.

Between 1792 and 1886, four presidents and five vice presidents died in office and five more times there was no one occupying the vice presidency for other reasons. Pressure grew to designate a longer line of succession. In the Presidential Succession Act of 1886, Congress eliminated Congress from the line of succession and instead named Cabinet secretaries in order of the date on which their agencies were created, similar to James Madison's preference almost 100 years earlier.

But the 1886 Act wasn't the end of the story. In 1945 Harry Truman, who had served as a U.S. Senator from Missouri for ten years, believed elected officials rather than appointees should fill a Presidential vacancy. Congress agreed, and the 1947 Presidential Succession Act kept the Cabinet line of succession but put at the head of it the Speaker of the House, followed by the Senate President pro tempore.

The problem of presidential incapacitation among other things was resolved by the 25th Amendment, which established a process initiated by the vice president and Cabinet for Congress to transfer the powers and duties of the president to the vice president. But the possibility of dual incapacitation – president and vice president – has still not been addressed.

There are solutions to strengthen government continuity, and some are obvious. Amend the Presidential Succession Act of 1947 to remove House and Senate leaders from the line of succession and restore the Cabinet-only system that was in place from 1886 to 1947. This would make it more likely that someone from the president's party would assume the office, alleviate legal scholars' concerns about separation of powers, and prevent a leadership vacuum in Congress at a time of crisis.

Congress should explicitly remove acting secretaries (who are not Senate-confirmed) from the line of succession; clarify who can act under the 25th amendment to remove an incapacitated president if the vice president is also incapacitated; and define a process for choosing successors from the same party as the president-elect and vice president-elect if both were to die before Inauguration Day.

Reconstituting a quorum of the House of Representatives is a tougher nut. The House rule that allows a very small number of Members to constitute a quorum, has stirred debate over whether it is Constitutional or politically viable. A recent effort to create a joint select committee on Congressional continuity stalled. However, one small step each chamber could take now would be to amend its rules to automatically allow remote operations in the event of another disaster that — like COVID — disrupts their ability to meet in person.

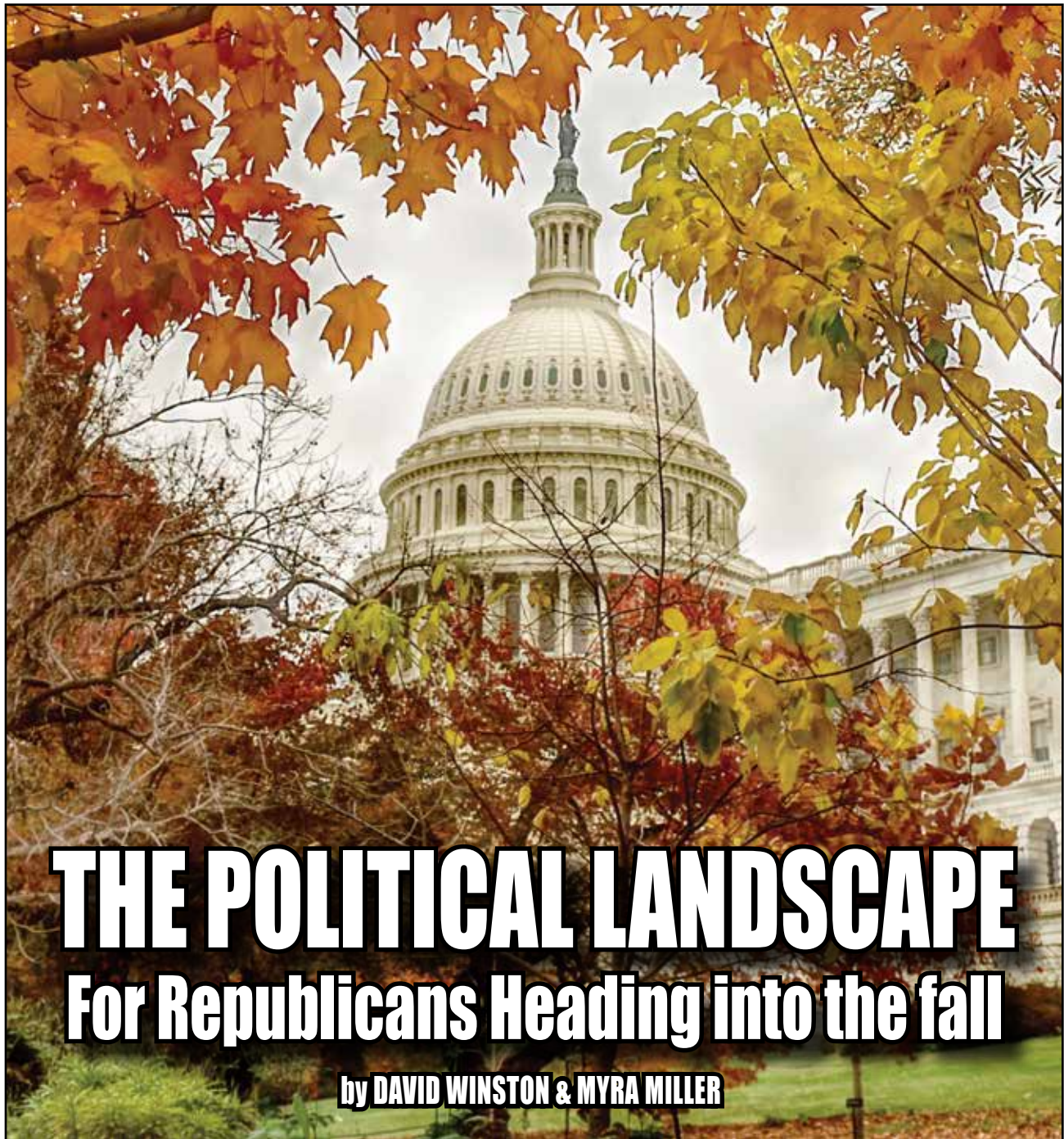
The United States has weathered many crises in its history, but in every case it made the preservation of its political institutions paramount. Even during the Civil War, Congress and the presidency continued to function despite the departure of elected representatives from the South. Today's world poses a variety of threats that could devastate our government's top leadership. Congress needs to pass bipartisan legislation now to reassure Americans that there will be leaders ready to govern when they are needed most. **RF**

Jean Parvin Bordewich is president of Guilford College in Greensboro, NC. She was a member of the second Continuity of Government Commission and is a former staff director of the Senate Committee on Rules and Administration.



Jean Parvin Bordewich

The order of Presidential succession can and has been established by statute, without a Constitutional amendment, three times. It's time to change it again.



THE POLITICAL LANDSCAPE For Republicans Heading into the fall

by DAVID WINSTON & MYRA MILLER

As we typically see in a midterm cycle for the incumbent president's party, midterm elections can be difficult. Republicans are in a challenging position, but 2026 is not a foregone conclusion.

Many say it's all about turnout, but recent elections have shown independent voters increasing in size and influence. Exit polls show that independents increased 7 points from 2020 to 2024, eclipsing Democrats as a percentage of the electorate. Independents surpassed Democrats in 5 out of

7 competitive presidential states including Michigan, North Carolina and Arizona — states with competitive races this cycle.

Will There Be A Blue Wave?

Whether Democrats get their Blue Wave will largely depend on the margin among independents. In 2018, Democrats won independents by +12D, producing the Blue Wave. In 2022, Republicans had their best party

ID advantage in the history of exit polling (+3), but the Red Wave was blunted by GOP underperformance among independents (+2D).

As we saw in last November's gubernatorial elections in Virginia and New Jersey, there are signs that Democrats could be recreating the 2020 Biden coalition. In Virginia, independents made up 33 percent of the electorate. Abigail Spanberger won independents by 19 points, the same margin as Biden's in 2020 and a reversal of Glenn Youngkin's 9-point margin in 2021. In New Jersey, Sherrill carried independents by 13 points (56-43).

While there are factors that work in Democrats' favor, one of the biggest obstacles to a Blue Wave is that the image of Congressional Democrats is negative overall (38-56 favorable-unfavorable in our June 2026 survey for Winning the Issues) and among independents (30-62). The image of Congressional Republicans is 37-58 favorable-unfavorable, on par with that of Democrats (38-56); among independents, the Republican image is 25-68. Among independents, 42 percent have an unfavorable view of both Republicans and Democrats, meaning both parties will be competing for a group that has a negative image of both.

What The Midterms Are About

We see two central factors shaping what the midterms will be about.

1) The economy —

During the Biden administration, when prices increased over 21%, the economy was a strong advantage for Republicans. Republicans held a +12 advantage on handling inflation and +11 on the economy (2024 Post-Election Survey for Winning the Issues). Our Winning the Issues June 2026 survey shows those leads have dissipated to -9 on inflation and -6 on the economy.

In 2024, Republicans were elected to fix the Biden economy. In the midterm election, voters will assess whether Republicans have made progress in addressing their priorities. Numbers from our June survey indicate a challenging environment.

- While 11 percent of voters say the economy is improving at an acceptable rate, 26 percent say it is improving at an unacceptable rate. 60% say it is not improving at all.

- 66 percent say inflation is getting worse rather than

better (16 percent) or not changing (17 percent).

- 73 percent say cost of living is increasing faster than their wages, compared to wages increasing faster (6 percent) or that they are increasing at about the same rate (17 percent).

2) Presidential job approval — Looking at the job approvals of the last three presidents in their first midterms (from exit polls: Obama 2010, 44-55; Trump 2018, 45-54; Biden 2022, 44-55), President Trump's job approval (41-58 according to the RCP average 7/27) could pose a headwind for many Republican candidates in competitive districts. But that doesn't mean a Republican candidate cannot overcome this dynamic and survive. Senator Susan Collins won a stunning re-election victory in 2020 with a 9-point margin despite President Trump losing Maine by 9. Her key to success was building a broad majority coalition base of support, including 18% of Biden voters and 23% of voters who disapproved of President Trump.

In 2022 under President Biden, some Senate Democratic incumbents in difficult races managed to survive re-election despite an unpopular president with negative job approvals in their states — examples being Mark Kelly (AZ) and Catherine Cortez Masto (NV).

Lessons From 2018

The 2018 midterm election, in which Democrats got their Blue Wave by

winning independents by 12 and women by 19, is a model for what not to do in a election. Republicans should heed lessons from those losses. Our data indicates that there were missed opportunities in 2018. One of those was around the 2017 *Tax Cuts and Jobs Act* — a signature economic accomplishment that Republicans could have promoted to their advantage.

From our 2018 Winning the Issues post election research:

- The state of the economy had the potential to be an asset to Republicans, with 68 percent of voters calling the economy excellent or good, an improvement from 2016 when only 36 percent called it excellent or good.

- 36 percent of the electorate said the bill will lower taxes for people like them. (42 percent will not, 23 percent didn't know).



David Winston

Myra Miller

In the midterm election, voters will assess whether Republicans have made progress in addressing their priorities. Numbers from our June survey indicate a challenging environment.

- Those people who said it would lower their taxes voted Republican 73-26. If Republicans could have increased the size of this voter group, it would have helped significantly.

By 2:1, the combination of the immigration and the caravan issues dominated the Republican economic message that voters heard.

Republicans were not able to make the number one issue – the economy – the number one issue. This November, Republicans have another opportunity to get it right and deliver on voter concerns around affordability.

The GOP Opportunity

One of Republicans' best opportunities to address voter economic concerns is their signature tax bill, the Big Beautiful Bill. Views of the bill are clearly defined around whether people think it prevents a tax increase on them. From our June survey for Winning the Issues, voters who thought it did prevent a tax increase favored it 73-22. Those who thought it did not prevent a tax increase opposed it 22-72.

Republicans have focused more of their messaging around no tax on tips and overtime, but their biggest opportunity to show how the bill prevented a tax increase may be the standard deduction, which the Treasury Department says over 127 million tax filers claimed in 2025.

Looking Ahead To November

Republicans will want to tie Democratic candidates to extreme socialist figures like Zohran Mamdani. That may set a helpful context

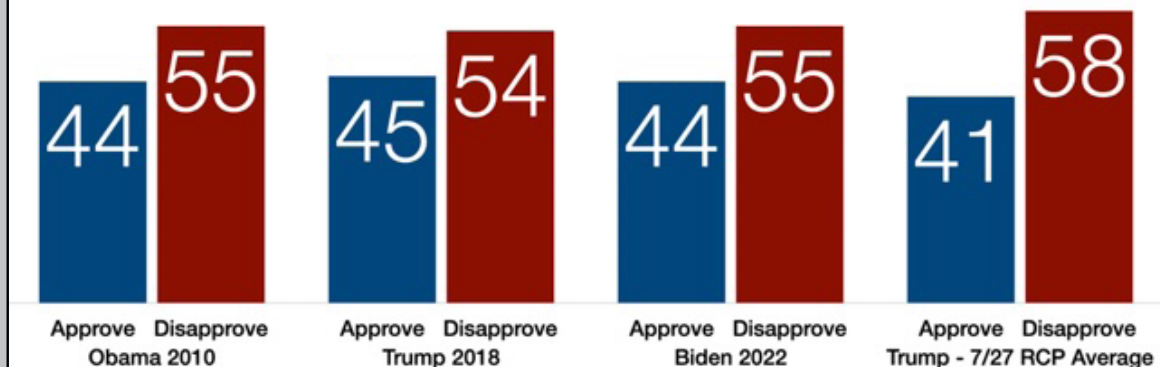
in many races, but may have limited success in campaigns where Republicans face moderate Democratic candidates. Given the remaining economic challenges, Republicans have a responsibility to deliver on what they promised in 2024 and define additional steps to build upon the progress they have made.

RF

David Winston is the President of The Winston Group, a Washington, D.C., strategic planning and survey research firm. Myra Miller is the firm's Co-Founder. Myra and David are co-hosts of the Discussion Points podcast, available on YouTube.

Job Approval of Previous Three Presidents at First Midterm

Source: Edison Research Exit Polls; Real Clear Politics 7/27 Polling Average



Attention is the New Battleground

by MATT GORMAN

Politics used to interrupt your television show.
Now it *is* the television show.

I've spent the better part of two decades in communications — presidential campaigns, congressional races, corporate boardrooms, cable news studios, and, for a brief and unforgettable chapter, inside one of the world's largest social media platforms. Across each stop, I've watched one truth become impossible to ignore.

The communications playbook has been rewritten.

Not because television disappeared. It hasn't.

Not because newspapers stopped mattering. They still do.

But because campaigns no longer decide where voters get their information — or who they trust to deliver it.

For decades, campaigns chased gatekeepers. Earn the endorsement. Win the Sunday shows. Land above the fold in the morning paper. If you controlled the headlines, you usually controlled the conversation.

Today?

A Twitch streamer can shape more opinions among young voters than an editorial board.

A three-hour podcast can move the needle more than a thirty-second television spot.

And somewhere, a consultant is still wondering why his perfectly worded press release got less engagement than a Golden Retriever riding a Roomba.

Welcome to 2026.

The rise of Hasan Piker is one of the clearest examples of this shift. Whether Republicans agree with his politics isn't really the point. Millions of Americans choose to spend hours with him every week. That isn't

simply an audience. It's trust.

Conservatives have built their own version of that ecosystem. Joe Rogan. Theo Von. Barstool. Dozens of creators across X, YouTube, TikTok, Instagram, and Substack. None answer to the Republican National Committee. None receive talking points from party leadership. Yet every day they influence how millions of Americans think about politics.

That's the revolution.

The middleman is disappearing.

One lesson I've learned from campaigns is that every communications revolution eventually feels obvious in hindsight.

Ronald Reagan understood television better than his competitors.

Barack Obama understood digital organizing before anyone else.

Donald Trump instinctively grasped that social media rewarded authenticity, speed, and conflict in ways traditional politics never had.

Each candidate mastered the communications environment of his era.

The mistake is believing the environment stops changing.

Today, campaigns aren't simply competing against one another.

They're competing against Netflix, the NFL, TikTok, YouTube, group chats, fantasy football, and whatever else occupies the six-inch screen in a voter's hand.

Politics isn't competing with politics anymore.

It's competing with everything.

That changes how candidates have to communicate.

The old model prized message discipline above all



Matt Gorman

**The communications
playbook has been
rewritten. Not because
television disappeared
or newspapers stopped
mattering. But because
campaigns no longer decide
where voters get their
information.**

else. Stay on script. Avoid surprises. Read the talking points.

That still matters.

But voters increasingly reward something campaigns have always struggled to manufacture: authenticity.

Not perfection.

Not polish.

Authenticity.

People don't expect candidates to be flawless. They do expect them to sound like actual human beings.

Ironically, that's become harder as campaigns have become more sophisticated.

So who has the advantage heading into this fall?

Republicans have generally adapted more comfortably to decentralized media. Conservatives invested early in podcasts, independent creators, and platforms that bypassed traditional gatekeepers. Many Republican candidates now appear as comfortable sitting for a two-hour podcast as they once were giving a stump speech.

Democrats, meanwhile, continue to benefit from influential creators across entertainment and popular culture, particularly among younger audiences. They

remain exceptionally effective at generating online enthusiasm around candidates and causes.

Neither advantage is permanent.

Algorithms change.

Platforms evolve.

Remember Vine?

Exactly.

Trust lasts longer.

Campaigns still need money. They still need volunteers. They still need compelling ideas.

But before any of those matter, they have to earn something far more difficult.

Attention.

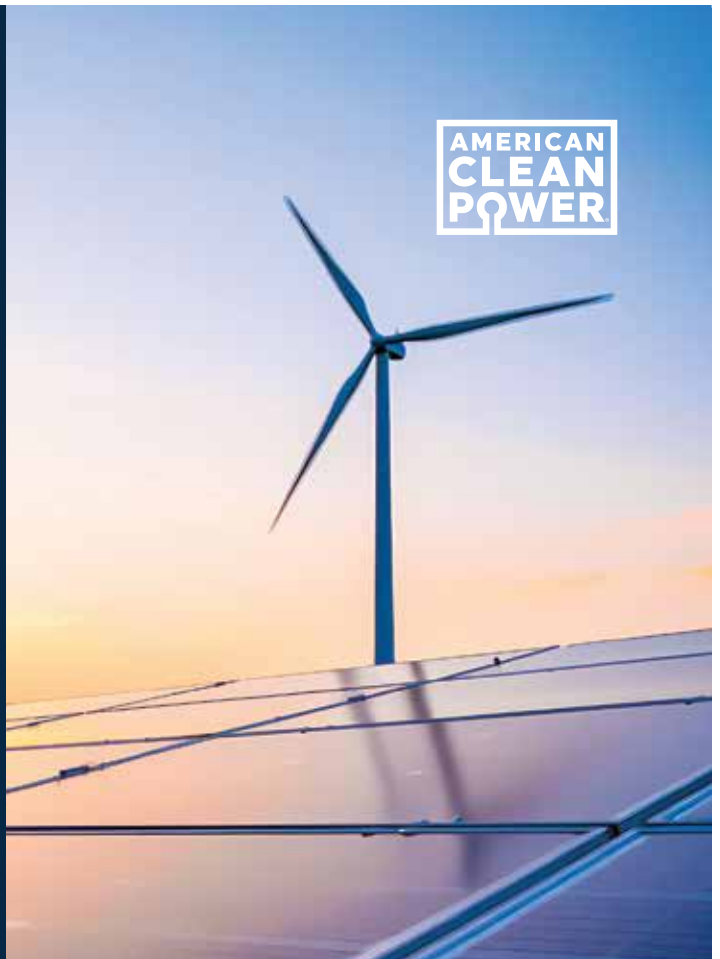
That's the real battleground in modern politics. Not because attention wins elections by itself—but because without it, nothing else has the chance to. **RF**

Matt Gorman is Chief Communications Officer for Targeted Victory. A veteran of three presidential campaigns, he most recently served as a senior advisor to Tim Scott for America. Before that, he was Communications Director for the National Republican Congressional Committee, where he was named to POLITICO Playbook's Power List.

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The Midterm Curse and the Balance of Power in Washington

by ANDREW E. BUSCH

One of the most consistent patterns in American politics is the tendency of the president's party to lose seats in Congress in the midterm elections.

This pattern is most pronounced in the House of Representatives, where the president's party has lost ground in all but three midterm elections since 1894. There are more frequent exceptions in the Senate, but even there the president's party has lost seats about two-thirds of the time. Whatever solace presidential parties may take from the more mixed results in Senate races is given back when reviewing elections for state governors: only a dozen states hold their gubernatorial elections in presidential years. The rest are scheduled with the congressional midterms or (in a handful of cases) odd-year state elections. The pattern there mimics the congressional pattern.

There is a simple reason House results are more consistently negative toward the president's party than Senate results. Every House district holds an election in every midterm year (as well as in every presidential election year), but because of the Senate's staggered six year terms, only one third of the Senate, hailing from two-thirds of the states, are up for election at any one time. Depending on which states are holding elections, the Senate can find itself largely insulated against negative national trends against the president in a way the House cannot. In 2018, Donald Trump's Republicans lost 41 seats and their majority in the House, but actually gained two seats in the Senate because they enjoyed a "good map."

Overall, the average midterm seat change for the president's party since 1934 has been a loss of 27 seats in the House and 3.4 seats in the Senate. The biggest House losses in the period were 72 seats in 1938 (Franklin Roosevelt), 63

in 2010 (Barack Obama) 56 in 1946 (Harry Truman), 54 in 1994 (Bill Clinton), 48 in 1958 (Dwight Eisenhower) and 1974 (Gerald Ford), and 47 in 1966 (Lyndon Johnson). The three exceptional years, when the president's party actually gained a tassel of seats, were 1934 (FDR), 1998 (Clinton), and 2002 (George W. Bush). A near-exception was in 1962, when JFK's Democrats lost only 4 seats. What those years had in common were unusually popular presidents in the midst of extraordinary circumstances: Depression, an unpopular impeachment attempt, and the wake of 9-11 and the Cuban Missile Crisis. Senate midterm blowouts have included losses of 13 in 1958 (Eisenhower), 12 in 1946 (Truman), 9 in 1942 (FDR) and 2014 (Obama), and 8 in 1986 (Ronald Reagan) and 1994 (Clinton). In 8 of 23 midterm elections since 1934, presidential parties have gained Senate seats or held their own.

Political scientists have spilled a great deal of ink trying to explain the midterm curse. One theory, dubbed "surge and decline," notes that midterm election turnout tends to be lower than presidential turnout, and posits that it is the president's supporters who are more likely to fall off between elections. On the other hand, those most bitterly opposed to him are more likely to be mobilized. Another theory focuses

on presidential approval and economic indicators to explain not the persistent House losses but the variation in size of the losses. Some argue the effect is indirect, as incumbents, challengers, and donors all calculate whether they expect the president's party to have a "good year;" if not, more incumbents retire, more strong challengers take a pass to wait for a better year, and the more discouraged the party donors become.

But what difference does the midterm curse make?



Andrew E. Busch

The average midterm seat change for the president's party since 1934 has been a loss of 27 seats in the House and 3.4 seats in the Senate.

Most obviously, the president's agenda faces tougher sledding in Congress. Midterm elections also affect the next presidential election. The opposition party gains a jolt of momentum, though flexible presidents (like Bill Clinton) are sometimes forced to adapt and retreat to more defensible ground. Over a longer time horizon, the midterm curse assures an infusion of new leadership into the opposition party, contributing to party balance over time. To cite just one example, four Republican presidents elected between 1968 and 2000 owed much to a single midterm election, the 1966 drubbing of Lyndon Johnson's Democrats: Ronald Reagan and George H.W. Bush enjoyed their first electoral successes that year, George W. Bush was launched largely by his father's career, and Richard Nixon attributed his 1968 comeback partly to his successful nationwide campaign for Republican candidates in 1966.

Although they have always been important, midterm elections have gained outsized significance in recent years because the balance of power between the parties has been so tight. From 1894 through 1990, midterm elections produced a change in the party majority in at least one house of Congress in six of 25 elections. Seven of the eight midterm elections between 1994 and 2022 did so.

Will 2026 repeat the normal midterm pattern or join the ranks of the rare exceptions? There are good reasons for Republicans to fear the worst. Democrats hold a sizeable lead in the national House generic polls, a large number of Republican retirements have opened up new Democratic opportunities, the president's approval ratings are hovering around 40 percent, and many indicators of voter enthusiasm

show a Democratic advantage. Moreover, Republican support among Hispanics, which surged in 2024, seems to be subsiding.

There are three factors that could mitigate Democratic gains. First, even with Republican retirements, there are relatively few districts (between 16 and 35) deemed competitive by analysts. Second, Democrats may undercut themselves by association with socialist and anti-Semitic extremism. Finally, recent Republican redistricting efforts may limit GOP losses. Some analysts estimate Republicans

may add up to ten seats to their final number by that route. However, that estimate is extrapolated from 2024 presidential votes, and the gains on paper are won by diluting GOP strength in favorable districts in order to grow the number of districts with a Republican majority. In the event of a Democratic wave election, that strategy could backfire spectacularly. (A decisive U.S. victory in Iran before November could also help Republicans, but may not do more politically than stop the bleeding.) All in all, Republicans will need everything to break their way to avoid losing the handful of seats that Democrats need to claim a House majority. The

Senate is likely to be the real battleground. In the summer of 2026, the upcoming election looks more likely to be a typical midterm than an exception. **RF**

*Andrew E. Busch is Professor and Associate Director in the Institute of American Civics in the Howard H. Baker Jr. School of Public Policy and Public Affairs at the University of Tennessee. He has authored, co-authored, or edited more than two dozen books, including *Horses in Midstream: U.S. Midterm Elections and Their Consequences*.*



What difference does the midterm curse make? Most obviously, the president's agenda faces tougher sledding in Congress. Midterm elections also affect the next presidential election.

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Candidates to Watch in 2026

by CAROLINE BANASZAK

With the November 3rd elections fast approaching, The Ripon Forum thought it would be helpful to look at some of the top Republican candidates running for office this year. To that end, we recently approached some of the party's top strategists with one question — when you look across the country, who are the GOP candidates Americans will be reading and hearing more about next year?

The strategists included: National Republican Congressional Committee (NRCC) Executive Director Micah Yousefi, Congressional Leadership Fund (CLF) President Chris Winkelman, National Republican Senatorial Committee (NRSC) Executive Director Jennifer DeCasper, and Republican Governors Association (RGA) Executive Director Sara Craig Gongol.

CANDIDATES FOR THE U.S. HOUSE



Mike Bouchard, Jr. (MI-10) — Bouchard is running to fill the seat vacated by Republican Congressman John James, who is seeking Michigan's governorship. An Army veteran and son of longtime Oakland County Sheriff Mike Bouchard, Sr., Bouchard is a Bronze Star recipient making his

first bid for public office.

A Michigan State ROTC graduate who served in the 82nd and 101st Airborne Divisions and earned his Bronze Star fighting ISIS on a joint task force, Bouchard entered the race in November 2025 fresh off a nine-month Iraq deployment and quickly emerged as the clear frontrunner in a crowded primary — securing a full endorsement from President Trump in June that was quickly followed by backing from all four top House GOP leaders and a victorious primary election night in August.

“With deep roots, a record of service, and proven commitment to fighting for his community, Mike Bouchard is exactly the kind of candidate Michigan voters are looking for,” Yousefi observed. “He’s spent his life answering the call to serve, and now he’s ready to bring that same leadership and dedication to Washington.”

MI-10, which covers southern Macomb County and parts of Oakland County, was considered Michigan's only competitive Republican House primary and one of the nation's top toss-up races heading into November.



Laurie Buckhout (NC-01) — Laurie Buckhout may ring a bell for North Carolinians. A retired Army Colonel and local business leader, she is aiming to replace incumbent Democratic Rep. Don Davis in the U.S. House. The two faced off in 2024 with Davis coming out on top by nearly 6,000

votes.

Returning in 2026 with a more favorable district and her “mission-first” approach to governance, Buckhout spent the time since her narrow loss serving as the Pentagon's acting assistant secretary of cybersecurity under Trump, adding to a 26-year Army career as a decorated combat commander.

“Laurie Buckhout has spent a lifetime serving her country and leading under pressure, making her the kind of leader North Carolina needs in Congress,” Yousefi stated. “After a distinguished military career, she’s ready to finish the job and take her mission-focused leadership to Washington to fight for North Carolina families.”



Greg Cunningham (NM-02) — Adding to the wave of veterans running this cycle is lifelong New Mexican Greg Cunningham — a Marine combat veteran, former Albuquerque Police detective, and small business owner. He'll face Democratic Rep. Gabe Vasquez in November.

“After a career in law enforcement spent combating drug cartels and protecting communities, Greg Cunningham knows firsthand what’s at stake for New Mexico families,” Yousefi shared. “His background is a perfect contrast to Gabe Vasquez, who has spent his career fighting to defund the police and supporting open borders.”

Cunningham has leaned heavily on his law enforcement background in the race, making public safety a central campaign theme, while also betting that his own Hispanic roots can help Republicans make inroads with a historically Democratic voting bloc — a strategy that’s earned him Trump’s endorsement, NRCC backing, and a spot in what’s shaping up to be one of the most competitive races of the cycle.



Eric Flores (TX-34) – A former Texas Army National Guard Infantry Captain is throwing his hat in the ring to replace Democratic Congressman Vicente Gonzalez this November. The Rio Grande native has quite the résumé — serving as a city attorney and municipal judge in

Alton before serving as an assistant U.S. Attorney, where he prosecuted human smuggling along our nation’s southern border. Texas’ 34th Congressional district gives House Republicans a necessary and unique pickup opportunity in the Lone Star State since Gonzalez won the seat by only 3 points and President Trump carried the district in 2024.

“Eric Flores is a proven prosecutor who took on cartels and violent criminals. He’ll bring that same toughness and sense of duty to Congress to deliver the border security and public safety South Texans deserve,” Yousefi noted.



Paul LePage (ME-02) – The 74th Governor of Maine is looking to return to public service this November, running to replace retiring Democratic Congressman Jared Golden. From humble beginnings, a young Paul LePage began his career at a lumber company – aptly fitting for the

man who would come to govern The Pine Tree State. He first entered public service on the Waterville City Council in the late 1990s, serving until 2002.

In 2003, he was elected Mayor of Waterville, where among his many achievements he grew the city’s reserve fund from \$1 million to \$10 million. He continued as mayor until his swearing-in as Maine’s first Republican governor since 1995, in January 2011.

“Few candidates have a record of delivering real conservative results like Paul LePage. After serving two successful terms as governor, he’s ready to take his proven leadership to Washington and fight for Maine families once again,” Yousefi declared.

There are plenty more candidates to watch across the country. Chris Winkelman explains:

“When you look across the map for 2026, the strength of our slate comes down to two things: candidate quality and district fit.

We have a whole host of formidable candidates that showcase the growing strength of the Republican Party and the diversity of our slate. This cycle, we have veterans and active national guardsmen, small business owners, former governors, local elected officials, law enforcement officers, a former district attorney, teachers, and even professional athletes who come from all different walks of life and bring rich personal and professional backgrounds as they step up

to flip seats or hold open seats.

We’re seeing exceptional talent across key battleground districts—from suburban seats in the Sun Belt to manufacturing hubs in the Industrial Midwest. Rather than singling out just one or two individuals, the real story for 2026 is how effectively our candidates reflect their communities. These are disciplined, strong fundraisers and effective communicators who know how to win in tough, competitive territory.”

CANDIDATES FOR THE U.S. SENATE



Ashley Hinson (IA) – A former newscaster and mother of two, Ashley Hinson is looking to fill retiring Senator Joni Ernst’s seat in the U.S. Senate. No stranger to a competitive race, Hinson has proudly served the people of the Hawkeye State since she was sworn into the Iowa

State House in 2017, later taking that service to the federal level when she flipped Iowa’s 1st Congressional District in 2020. In Congress, she serves on the House Appropriations Committee and the Select Committee on the Chinese Communist Party — assignments that reflect her focus on fiscal responsibility, agriculture, and national security.

Before entering politics, Hinson spent more than a decade as a reporter and anchor at KCRG-TV in Cedar Rapids, earning two Midwest Regional Emmy Awards along the way. Her time on air, covering the issues facing Iowa families firsthand, laid the groundwork for a political career built on the same instincts

According to DeCasper, Hinson is a force to be reckoned with: “Ashley Hinson is bringing her fierce fight for Iowa farmers from the House to the Senate this November. She’s going to crush Josh Turek, who has already sold his soul to Chuck Schumer and promised to raise taxes on working families while funneling more of Iowans’ money to illegal aliens and big-government waste.”



Mike Rogers (MI) – Another candidate who previously served in his state legislature and the U.S. House of Representatives, former House Intelligence Committee Chairman Mike Rogers proudly represented Michigan’s 8th Congressional District from 2001 to 2015. Now he’s seeking to fill

the seat of retiring Senator Gary Peters (D). The former FBI special agent was born and raised in the Mitten and looks forward to bringing his experience in national security and law enforcement to the U.S. Senate.

“Under NRSC Chairman Tim Scott’s leadership,

Senate Republicans are recruiting fighters who are ready to hold Democrats accountable and lock down our Senate majority,” DeCasper stated. “Currently leading the polls in Michigan’s marquee race, Mike Rogers is one of those fighters. No matter who he goes up against in November, his proven record of getting results will finally end the Democrats’ decades-long stranglehold in the state.”

CANDIDATES FOR GOVERNOR



Byron Donalds (FL) – From humble beginnings in a single-parent household in Brooklyn, Byron Donalds built a career in finance and public service, and now brings that hard-earned perspective to his campaign to succeed Governor Ron DeSantis.

With deep ties to Southwest Florida, a strong conservative voting record in Congress, and the backing of President Trump’s endorsement, Byron Donalds’ campaign has real momentum behind it.

“Byron Donalds has proven he is one of the strongest fundraisers in the country. Add in his compelling personal story and his record of delivering for the people of Florida, Donalds is one of the most formidable candidates on the ballot in 2026,” Gongol stated.



Zach Lahn (IA) – Also taking place in the Hawkeye State is a closely-watched gubernatorial race as Zach Lahn campaigns to succeed outgoing Governor Kim Reynolds (R). The sixth-generation Iowan has deep family roots in Belle Plaine, where he restored a house on his family’s

land and now farms. Beyond agriculture, he built a career as an entrepreneur and educator.

“The genuine connection Zach Lahn has developed with grassroots voters in Iowa is undeniable,” Gongol noted. “Through his authenticity, fresh ideas, and willingness to talk about tough issues facing voters, Lahn is showing the kind of leader he would be as governor.”



Vivek Ramaswamy (OH) – As term-limited Governor Mike DeWine (R) looks to who to pass the torch to, Vivek Ramaswamy is eager to take it. The Cincinnati native built his career as a biotech entrepreneur before mounting the youngest campaign of the

2024 Republican presidential primary, ultimately

dropping out to endorse Donald Trump. He briefly co-chaired the Department of Government Efficiency before stepping down to launch his gubernatorial bid, officially entering the race in February 2026 and winning the GOP nomination in May.

“As an accomplished business leader and problem solver, Vivek is not constrained by conventional thinking. He knows firsthand the importance of the American Dream and has proven that he will fight to keep it alive for all Ohioans. His message is simple and digestible: lower costs, bigger paychecks, and better schools,” said Gongol.

Ramaswamy carries President Trump’s full endorsement into a general election against Democrat Amy Acton, the state’s former health director best known for leading Ohio’s COVID-19 response — a matchup that has quickly become one of the most closely watched governor’s races in the country.



Tom Tiffany (WI) – Current Member of Congress Tom Tiffany is campaigning to be the next Governor of the Badger State. Tiffany has represented the state’s seventh congressional district since winning a special election in May 2020, but his roots in state

government run much deeper: he served in both the Wisconsin State Assembly and State Senate, where he led the charge to create jobs and cut taxes.

A lifelong Wisconsinite, Tiffany spent 20 years running a northern Wisconsin riverboat excursion business with his wife, and nearly three decades working as a dam tender — a job that earned him the nickname “the dam man,” one he wears as a badge of honor.

“Nobody is outworking Tom Tiffany on the campaign trail,” Gongol stated. “From packed events across the state to ads on television, it’s clear to voters that Tiffany is a humble public servant and a fierce defender of Wisconsin values. Compared to the chaos and socialism preached by Wisconsin Democrats, Tiffany is in a strong position heading into November.”

RF

Caroline Banaszak is Deputy Editor of The Ripon Forum and former staffer for the Honorable Fred Upton (MI-06).

The Midterms Through the Eyes of Gen Z

by ETHAN ROSIER

In 2020, Joe Biden won the youth vote by 25 points over Donald Trump. Four years later, Vice President Kamala Harris lost significant ground in that same group, carrying it by only 4 points. With the 2026 midterm elections just around the corner, experts are still trying to figure out where the generation's political loyalties lie. Ask 1,000 Gen Zers about their politics, the issues that animate them, and how eager they are to engage with government, and you'll get no shortage of different answers. In 2024, 47 percent of eligible youth voters (ages 18-29) cast a ballot, a dip from 2020's historic 50 percent, but still a sharp improvement over 2016's 39 percent. That raises two questions: what issues drive Gen Z to the polls, and does the rightward swing in 2024 reflect a lasting political realignment?

Tufts Center for Information & Research on Civic Learning and Engagement (CIRCLE) published an April report which identified cost of living and inflation, healthcare, and housing costs as the top three issues Gen Z is looking to their elected officials to address. Young Americans are growing worried about their future ability to purchase a car, own a home, and afford healthcare – not to mention a shrinking Social Security fund. The issues that won Trump significant support from young voters in 2024 are the same ones his leadership will be judged on in 2026.

Notably, foreign policy and humanitarian crises abroad ranked last among listed choices, perhaps signaling President Trump's "America First" 2024 campaign message continues to resonate with this generation two years later. Despite ongoing foreign conflicts, young Americans want their government focused on the issues at home. As domestic issues remain a top priority for Gen Z, the upcoming midterm elections will be a turning point in the generation's political engagement. Whoever treats these voters as an afterthought does so at their own risk.

Those same anxieties help explain why so many young men swung toward Trump in 2024 — the open question is whether that shift holds through November, or reverts.

This rightward swing was most pronounced among young men aged 18-29. CIRCLE's 2024 election report showed a 29-point swing in the margin of support for President Trump among young men, who ultimately backed him by 14 points over Vice President Harris. Harvard's John Della Volpe attributed this shift to young men feeling like the Democratic Party "doesn't speak to them." Della Volpe is onto something: the party hasn't just lost young men on policy, it has lost the ability to speak their language.

While President Trump earned the support of young men and made inroads with Hispanics in 2024, it's uncertain whether that support will hold for Republicans in November. The data suggests the demographic is already splintering by age. Among men aged 23-29, Trump's net approval rating has dropped 9 points since 2025, and Democratic support on the generic ballot has climbed 14 points on margin, according to the Spring 2026 Yale Youth Poll.

However, the youngest men in this demographic, aged 18-22, are behaving differently. Despite growing disapproval of the President, the youngest men are not ready to commit to Democrats in November. President Trump's approval rating among men aged 18-22 has dropped 8 points, while their support for Democrats on the generic ballot has slipped by just 1 point. Young women show no such hesitation; Democratic generic ballot support rose 17 points on margin among women 18-22 and 10 points among women 23-29 over the same period. That said, these are narrow subgroup breakdowns, so the direction of the trend matters more than the precise numbers.

Among Hispanic voters, President Trump is losing support – 25 percent of Hispanics who voted for him



Ethan Rosier

The party hasn't just lost young men on policy, it has lost the ability to speak their language.

in 2024 would not do so again, a UnidosUS Bipartisan Poll found. The same poll showed Democrats leading the generic ballot among Hispanic voters 54 percent to 27 percent, with 19 percent of voters undecided. A key group of voters that sent Trump back to the White House are less likely to support his candidates in November if they vote at all.

A CIRCLE poll found that 56 percent of those aged 18-29 are extremely likely to cast a ballot in November. The same poll showed that 35 percent of respondents said they “participate because I dislike the way politics works right now and I want to change it.” Gen Z is growing frustrated with both political parties. CIRCLE found that 22 percent of young Americans identify as pure independents; and that number jumps to 43 percent including leaners.

While Democrats currently hold the generic ballot lead, Gen Z has made it known that the Democratic party has not fully earned their support. For Democrats, the midterms are an opportunity to gain ground lost with young men in 2024. To earn the support of these young men, Democrats will need to speak to the economic anxieties that pushed many towards Trump in the first place. The growing popularity of DSA (Democratic Socialists of America) candidates signifies a desire for something different than establishment politics, especially among young Democrats. It will certainly be an uphill battle for DSA candidates endorsed by NYC Mayor Zohran Mamdani or Senator Bernie Sanders to earn the young male vote in November. Democrats have the opportunity to win back young men — just not through Mamdani or Sanders as the messenger.

While Democrats currently hold the generic ballot lead, Gen Z has made it known the Democratic party has not fully earned their support.

For Republicans, the midterms are a chance to secure the young male and Hispanic vote President Trump earned in 2024. With key parts of Trump’s 2024 coalition — young men and Hispanic voters — having second thoughts about him, it remains to be seen whether the voting bloc realignment that delivered a Republican trifecta in 2024 is set in stone. According to a recent Washington Post-Ipsos poll, Trump is currently boasting a 52 percent approval rating among Republican-leaning independents. The evidence increasingly indicates that this newfound support is currently only borrowed and these voters are not yet consistent supporters of the GOP. For Republicans, the base isn’t an issue, the edges are. If Trump can’t keep his own loosely-committed voters in line, betting on a durable youth realignment starts to look like wishful thinking.

The real story to watch this November isn’t which party wins Gen Z, but whether that win has staying power. Turnout intent is holding - this isn’t a politically passive generation. If the same percentage of voters that swung to the right of the political spectrum in 2024 now swing to the left only two years later, that swing won’t reflect a lasting ideological realignment or coalition-building so much as which party’s messaging resonated with Gen Z at this particular moment. Whichever party comes out on top in November will have to deliver on their promises if they truly want to earn this generation’s vote, not simply borrow it.

RF

Ethan Rosier is a Frenzel Fellow at The Ripon Society & Franklin Center, and is a graduate student at the University of Maryland where he is studying Applied Political Analytics.

LETTERS TO THE EDITOR

Where do you stand?

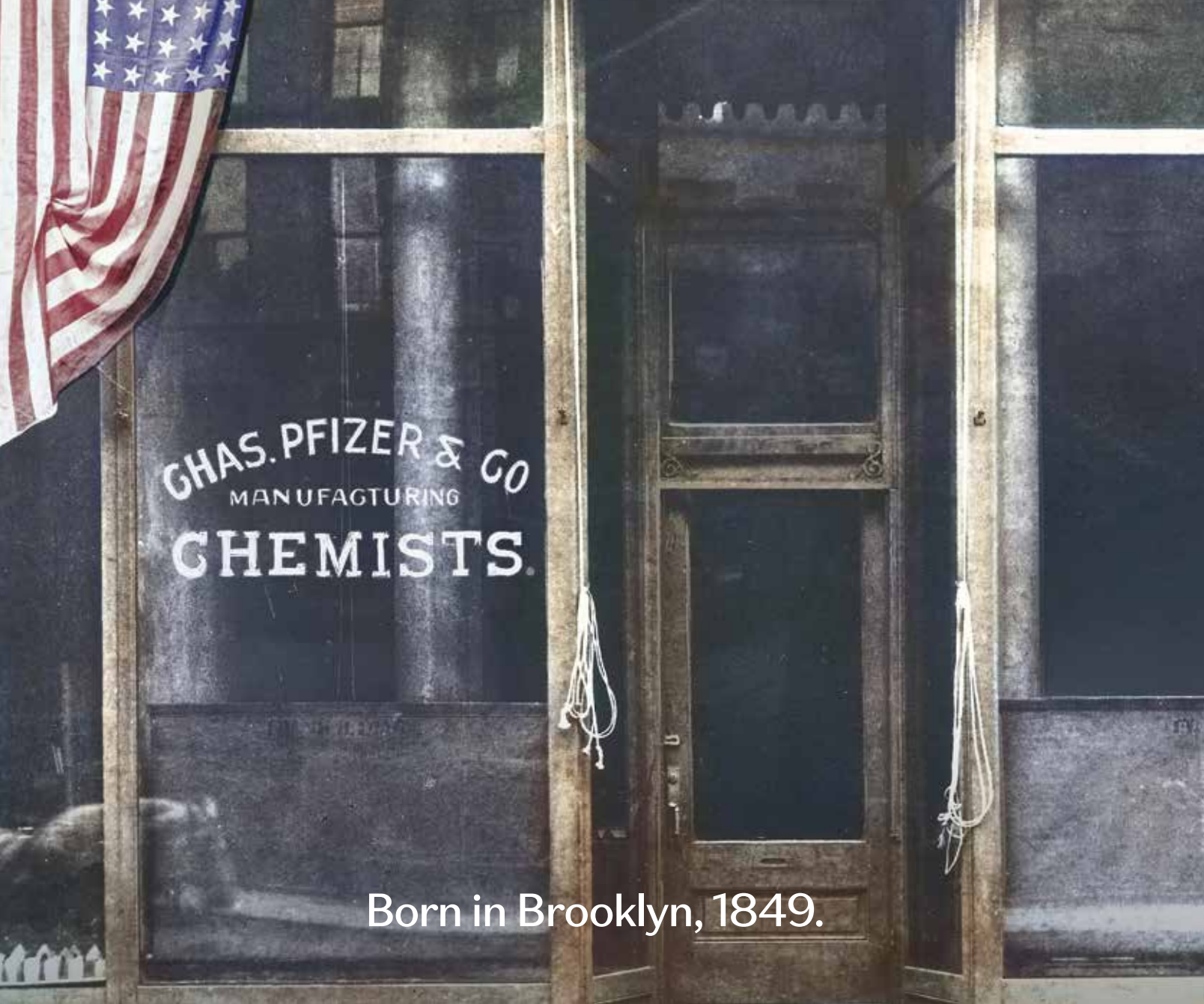
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The Most Important Issue No One is Talking About this Election

by CHARLES BLAHOUS

Heading into the 2026 midterms, American voters consistently name the economy as a critical issue, expressing concern about the costs of housing, groceries, fuel, and healthcare. Yet when discussing economic threats, most aren't focusing yet on Social Security. They should be.

This year's Social Security trustees' report shows a program speeding towards insolvency. Its retirement fund is projected to be depleted in 2032, but that date isn't what's important. If your doctor finds that you have a potentially lethal condition, it's not the date it might kill you that matters, but whether treatment starts soon enough that the disease remains curable.

Without prompt treatment, Social Security's financial condition will become terminal long before 2032. Even if lawmakers act immediately, restoring solvency requires finding savings equivalent to a 30 percent reduction in future benefit claims. Once insolvency becomes imminent, it's far too late: by then, Social Security would go insolvent even if new claims went entirely unpaid.

It's important to be clear about the nature of the threat. No one should worry that Social Security will go away. And although benefits would be cut 22 percent in 2032 absent legislative action, federal lawmakers surely won't let that happen. Instead, what's at stake is whether Social Security remains the reliable income source it has been for decades.

The reason Social Security benefits are more secure than so-called welfare is rooted in its longstanding design. Welfare programs are financed from the government's general fund. Whether you receive welfare is based on perceived need, not on how much

you paid. Beneficiaries and taxpayers represent competing interests in welfare, so there is continual renegotiation of the terms of exchange: what benefits are, who is eligible to receive them, should there be a work requirement or means test, and so forth. One can't

base a viable long-term income strategy around welfare benefits because no one knows how the whims of politics might change them in just a few years.

By contrast, the predictability of Social Security benefits enables participants to make long-term income plans. Your individual Social Security benefit is a mathematical function, written into law, of the payroll taxes you paid. The program is also forbidden to spend more than the revenues it has collected, plus interest. This construct enables beneficiaries to say to politicians that they paid for their benefits and thus they can't arbitrarily be taken away.

There's a price for this unique stability: it only lasts as long as lawmakers align benefits with the amounts workers' contributions can finance. If lawmakers become unwilling to do so, Social Security will need a bailout from general revenues, ending any legitimate sense in which participants paid for their

benefits. Afterward, Social Security would compete for funding from the general budget with other programs, and benefits would likely become as arbitrary and changeable as welfare.

This problem could have been easily solved long ago. In the 1970s, the Consultant Panel on Social Security, appointed at the request of the Senate Finance and House Ways and Means Committees, advised that the formula going into effect for automatically increasing benefits was flawed, and could not be sustained with a



Charles Blahous

When discussing economic threats, most voters aren't focusing yet on Social Security. They should be.

stable payroll tax rate. All that was needed to fix it was to tweak the formula to grow slightly more slowly. Real benefits would still have grown over time, no further payroll tax increases would be necessary, and there would be no financing shortfall now. But lawmakers didn't listen.

Instead, too many played cynical politics with Social Security, attacking anyone who dared to espouse such correction for seeking to "cut benefits." Cynicism underlay the political calculation that if solutions could be stonewalled for several years, those who favored raising taxes would prevail without ever having to say so, because it would eventually become too late to do the job any other way.

These opportunistic politicians overplayed their hand, now risking the viability of a program they cherish. Even an all-Democratic Congress would be unlikely to raise Americans' payroll tax burdens by roughly one-third – the amount now needed to avoid benefit adjustments. Instead, progressive politicians take refuge in a fashionable myth:

**Without prompt treatment,
Social Security's financial
condition will become
terminal long before 2032.**

that the problem can be fixed simply by taxing more of the earnings of rich people. But even if every penny of national earnings were exposed to the full payroll tax, it would eliminate barely one-quarter of the escalating problem.

A realistic fix will need each of: moderating the growth of benefits, adjusting eligibility ages, and collecting more payroll taxes. None of these levers can do even half the job without being more severe than is politically plausible. Lawmakers will thus need to employ all three.

Regardless of how we got here, Social Security is at a crossroads, with it yet undetermined whether it will remain the secure source of income it has historically been. Voters should be aware that the longer this corrective action is put off, the less secure their future benefits will be.

RF

Charles Blahous is the J. Fish and Lillian F. Smith Chair and Senior Research Strategist at the Mercatus Center at George Mason University.

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The Framers Trusted States, Not Washington, With Elections

by WALTER OLSON

Article I, Section 4 of the Constitution provides that the legislature of each state shall prescribe the “times, places and manners” of holding elections for the U.S. Congress, “but the Congress may at any time by law make or alter such regulations.” Congress has long used its override powers sparingly, and Republicans in particular have warned against both micromanaging how states do their job and the specter of a federal takeover. That remains the correct position, for reasons of practicality, election integrity and the safeguarding of the nation’s liberty.

Decentralized election administration is one of the most community-oriented things government does, relying on an army of neighbors as volunteers. Being close to the people helps make it more accountable when something goes wrong. If machines break, supplies run short or there are needlessly long lines at the polls, who will respond faster to your complaints: your elected municipal, county, and state officials, or some distant federal agency?

Local election administration also better fits our nation’s vast diversity. Recently, as Congress has considered bills that would impose one-size-fits-all rules on basic electoral functions – requiring that everyone visit a public office in person to register, for example – there has been pushback from places like Alaska and the rural Southwest where people may live multiple hours away from such an office. Early, mail and lockbox voting play different roles from one community and state to the next, depending in part on work, commuting and retirement patterns. Why block needed adaptations to local conditions?

Decentralized administration also guards against a

catastrophic single point of nationwide failure in election systems. New voting machines and methods spread piecemeal from one jurisdiction to the next rather than by Washington prescribing that everyone adopt them all at once. That means administrators and vendors learn and adjust by others’ experience, and the whole country doesn’t get committed to someone’s flop idea.

And that’s just the glitch side. We are all aware that election systems get targeted by bad actors, domestic and otherwise, seeking advantage or information. Our diverse and decentralized system is much harder to hack than a single nationwide one would be, with the damage limited and compartmentalized.

America has been a great innovator in the realm of elections, introducing many new developments from party primaries to early and mail voting. Some innovations fall by the wayside, while others catch on and become standard. Why trade this ferment of democracy for an arrangement where permission from Washington is required for anything new? Why risk foisting a bad method on everyone because someone in Washington liked it?

Above all, the Framers did it this way because they feared that a ruling national faction, whether

based in Congress or the White House, might someday gain power over election administration nationwide and use it to entrench themselves in office. America must steer clear of any Venezuela-style National Electoral Council by which those in power could second-guess – and in the end substitute their own preferred numbers for – locally tabulated results.

For a long time, the Democrats were the party



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infatuated with centralization here. Only a few years ago they promoted an overreaching omnibus bill numbered H.R. 1 that would have invaded the proper province of the states in many ways, heaped massive burdens on local administrators, and put federal bureaucrats in the driver's seat. Why did the Republicans forget their own former warnings when they took over?

The current push toward central control is based on alarms about supposedly widespread noncitizen voting and voter impersonation that simply aren't borne out by the evidence, along with theories about the 2020 election that have been uniformly rejected by courts and disproved by impartial investigation. While there is definitely room to improve ID methods, a measure like the *SAVE America Act* goes far beyond what any state has chosen to enact voluntarily and demands that it all be done on an unrealistically abbreviated timeline.

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None of this is to say Congress cannot use its Constitutional authority to make and alter rules in prudent, targeted ways. It could bring a truce to the gerrymandering wars through a few simple rules – compactness of House districts and respect for the boundaries of political subdivisions, no mid-census redistricting except when required by a court – that would check the interstate race to the bottom.

It's not that states are somehow perfect or above politics in running elections – the record of American history amply documents their sins. But the danger of gathering the reins into one set of hands is greater. Congress has rightly respected the states' and localities' lead role, and it should go on doing so.

RF

Walter Olson is a senior fellow at the Cato Institute and co-chaired several commissions on redistricting and gerrymandering under former Maryland Gov. Larry Hogan. He writes often on election law.

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Websites, Cookies, and the Latest Litigation Gold Rush that Congress Must Stop

by DAVID FRENCH

On November 7, 2025, failed actor and convicted felon Vivek Shah, a California resident, visited the website of Drexel Chemicals, an agrichemical wholesaler in Memphis. Five days later, Shah served Drexel a letter alleging the company wiretapped him in violation of Section 631(a) of the California Invasion of Privacy Act, threatening to sue if the company did not pay him a settlement.

Shah – aliases Ray Amin and Rohan Gill – was convicted in 2012 for threatening to kill families of the wealthy and famous if they did not make extortion payments, for which he set up an offshore account in Cyprus. Post-prison, Shah’s occupation appears to be extorting settlements from legitimate businesses for their dastardly act of operating websites. Shah alone is estimated to have sent letters to thousands of retailers and other businesses claiming “wiretapping.”

He is not alone in this scam. Over 5,300 lawsuits currently are pending, claiming that ubiquitous internet tools – cookies, pixels, chatbots, marketing software, even collection of IP addresses so a website may return information to the consumer – violate wiretapping or pen register laws. Litigants claim use of these universal internet tools constitutes recording of a conversation without their consent, breaching laws written decades before the internet.

These lawsuits plague retailers, other businesses, and nonprofits throughout the country, from the largest companies to flower shops, restaurants, hospitals, shoe stores, roofers, plumbers – even a cheerleading team. One individual appears as the plaintiff in more than 100 cases. One California law firm has filed over 1,000 such lawsuits.

Among the serial plaintiffs:

- Alondra Gutierrez concocted 24 suits against home

furnishings companies, sporting goods stores, a mattress company, a maker of body washes, and for some reason, a fishing gear company.

- Anna Orr filed 20 lawsuits against a restaurant development company, Levi’s, a Caterpillar equipment dealer, PeachyBbies Slime Shop, an engineering company, and a film maker. Remarkable range.

- Anne Heiting goes for bigger fish. She’s filed 38 suits against Rocket Mortgage, Marriott, HP, Lulu’s, Frontier Airlines, Guess, Andersen Windows, and Williams Sonoma, among others.

We could go on and on, and we’re not even out of the “A’s.”

Evidence suggests at least one law firm is advertising for plaintiffs on social media, selling abusive “wiretapping” lawsuits as a way to make a quick buck.

As thousands of retailers have learned, companies well beyond California are at risk, and not just under California law. Twelve states have “two-party consent” wiretapping laws, requiring both parties to a conversation to consent to recording. Over 600 suits have been filed in Florida. Many cases allege federal theories under the Electronic Communications Privacy Act (ECPA). Even though ECPA is not violated so long as one party consents to “recording,” it has a crime/tort exception. Plaintiffs allege that a website collecting information constitutes invasion of privacy, a tort, and thus federal law is an available

remedy even though one party (the business) obviously consented.

Retailers are major targets.

A shoe store owner in Chicago that has been targeted under California wiretapping law said, “It’s like an extortion ring aimed at small businesses with websites. We would



David French

Over 5,300 lawsuits currently are pending, claiming that ubiquitous internet tools such as cookies and pixels violate wiretapping or pen register laws.

literally have to shutter our website to avoid these attacks. We have robust privacy policies with opt ins and opt outs, but that doesn't deter them."

"They create fear, consume valuable time, force owners to seek legal or technical guidance, and distract us from running our businesses," an Atlanta retailer said. A Charlotte-based company added, "It has the feel of a coordinated shakedown — one that extracts money from small businesses for the benefit of the law firms driving it. We desperately need congressional support to help pass reform in this area."

Cookies and chatbots aren't "wiretapping" — they're standard e-commerce, subject to the requirements of state privacy laws in the states that have them. So why aren't these serial plaintiffs suing under California's or other states' privacy laws?

First, because every State privacy law, including California's, allows cookies, pixels, chatbots, and other internet tools as perfectly legal means to learn who is visiting a website

and how to serve them better. The free internet would not exist without this functionality.

Second, money. State privacy laws do not include a private right of action; the wiretapping laws do. California law subjects defendants to up to \$5,000 in penalties per violation, which under the outrageous plaintiffs' theories occurs every time someone connects to a website. Big potential payday for shady law firms, bet-the-company risk for businesses.

Pending cases have ballooned by roughly 1,000 just since earlier this year. Twenty-plus cases are being filed each week, not to mention the thousands of demand letters, settlements for which have knocked some small retailers out of business.

Congress must act this year. It must block wiretapping and pen register laws from being misapplied to the internet and end this egregious tax on the economy. **RF**

David French is the Executive Vice President of Government Relations at the National Retail Federation.

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Ripon Profile

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Previous Positions held: English Teacher & Women's Basketball Coach, Catholic University of Mozambique; Teaching fellow at Harvard; Project Manager, Executive Office of Dubai, United Arab Emirates; Consultant, U.S. State Department officer; Member of the Washington State Senate; Adjunct Lecturer at the Paris Institute of Political Studies, Spokane County Treasurer.

How has that mix of experience shaped how you approach legislating? My time with the U.S. Department of State, the Washington State Senate, and Spokane County gave me firsthand experience at the federal, state, and local levels of government. That perspective matters in Congress, because many bills don't just affect federal law — they ripple into state and local law as well.

America is about to mark the 25th anniversary of 9/11. What does that day mean for you? September 11, 2001, set me on the path to a career in public service and foreign affairs. The Global War on Terror shaped an entire generation of Americans, including me, and inspired me to dedicate my career to serving our country. In the years that followed, I served as a diplomat in Iraq and a civilian adviser in Afghanistan, working alongside courageous American service members and our allies in some of the world's most challenging environments. My service in Afghanistan also changed my life in deeply personal ways: It was there that I met my wife, and together we began the family that has been life's greatest blessing. As America approaches the 25th anniversary of 9/11, I remember the nearly 3,000 innocent people murdered that day, honor the first responders and service members who answered the call, and reflect on the extraordinary sacrifices made in defense of our country. For me, 9/11 is both a solemn national anniversary and a reminder of how profoundly that day shaped the course of my own life, and the lives of an entire generation.

Who has most influenced your leadership style? John F. Kennedy reminds me of the importance of strong national security, keeping the homeland safe, and answering the call to public service. Theodore Roosevelt embodied American strength, optimism, and a belief that the West was a place of opportunity worth investing in. His commitment to conservation, infrastructure, and the development of the American frontier continues to resonate with me as I represent Eastern Washington. Ronald Reagan demonstrated the power of conservative principles, free markets, limited government, and confident American leadership on the world stage.

Finally, what one bill or initiative would you most like to see Congress pass for your constituents? I came to Congress to fight for a brighter future for Eastern Washington and to leave a better world for my five children. Right now, America is spending \$7 trillion against just \$5 trillion in revenue, and we have to rein in reckless government spending to safeguard the country's future.



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