



By Michael T. Oscar

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Impeachment



Revitalizing the Federal Courts

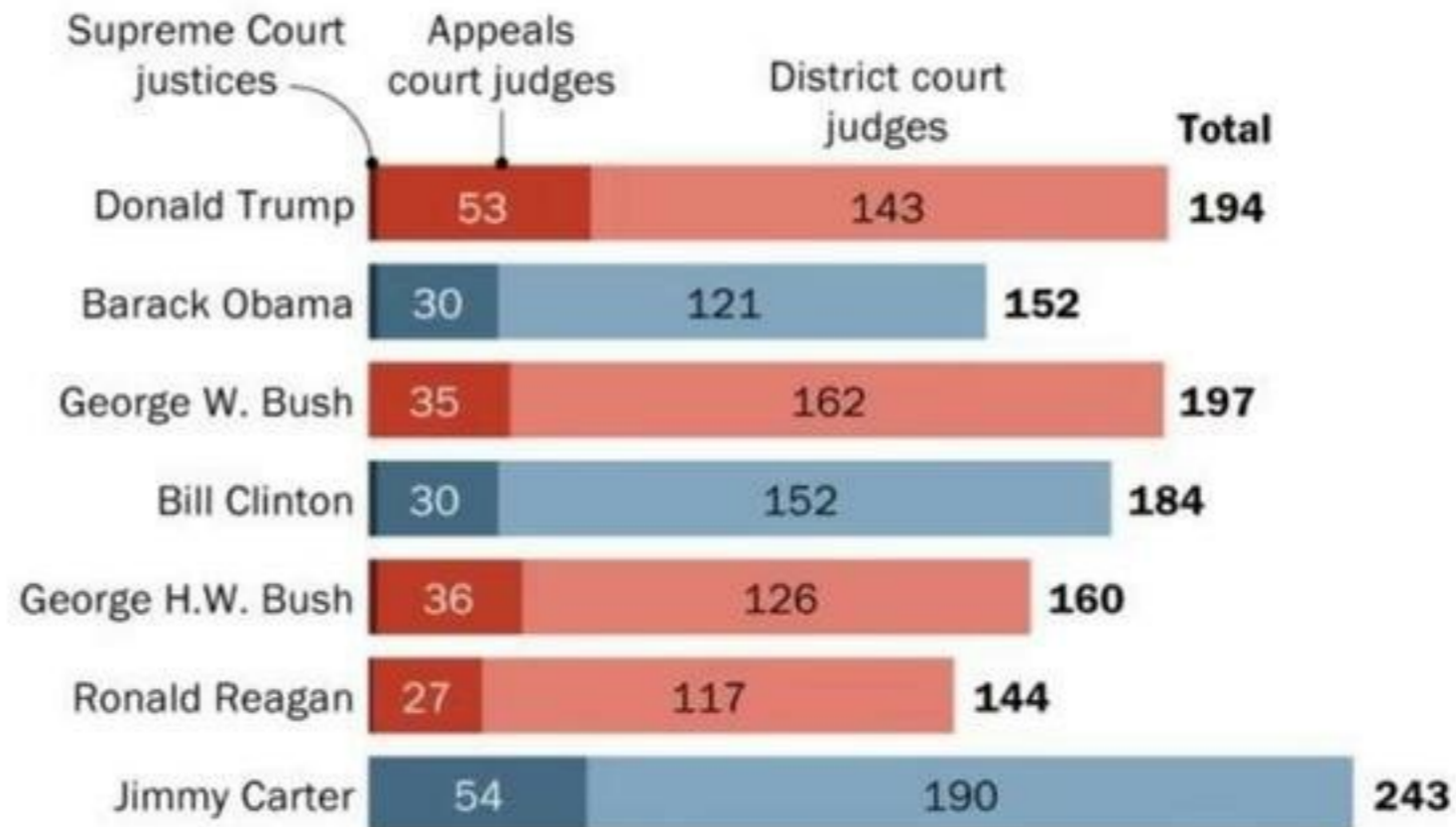
- In 2013, former Democratic Majority Leader Reid ended the filibuster on judicial nomination votes.
- **Supreme Court Justices:** Neil Gorsuch, Brett Kavanaugh, and Amy Barrett
- Senate confirmed 194 federal judges to the federal bench in the last three years.
- Including 50 judges to the federal circuit court of appeals
 - In 2017, when President Trump took office, Democratic appointees made up the majority on nine of the 13 circuit courts.
 - In 2020, President Trump's appointments flipped three circuit courts:
 - 2nd (NY, VT, CT)
 - 3rd (DE, NJ, PA)
 - 11th (FL, GA, AL)
 - In total, seven circuits have Republican majority appointees.



Revitalizing the Federal Courts

Trump has appointed more appeals court judges so far in his tenure than any president since Carter

Federal judges confirmed by Senate through July 7 of each president's fourth year in office



Note: Data as of July 7, 2020. Excludes judges confirmed to certain specialized or territorial courts. Judges confirmed to multiple positions, such as those first appointed to a district court and later elevated to an appeals court, are counted separately for each position, but only once in each president's total.

Source: Pew Research Center analysis of Federal Judicial Center data.



COVID-19

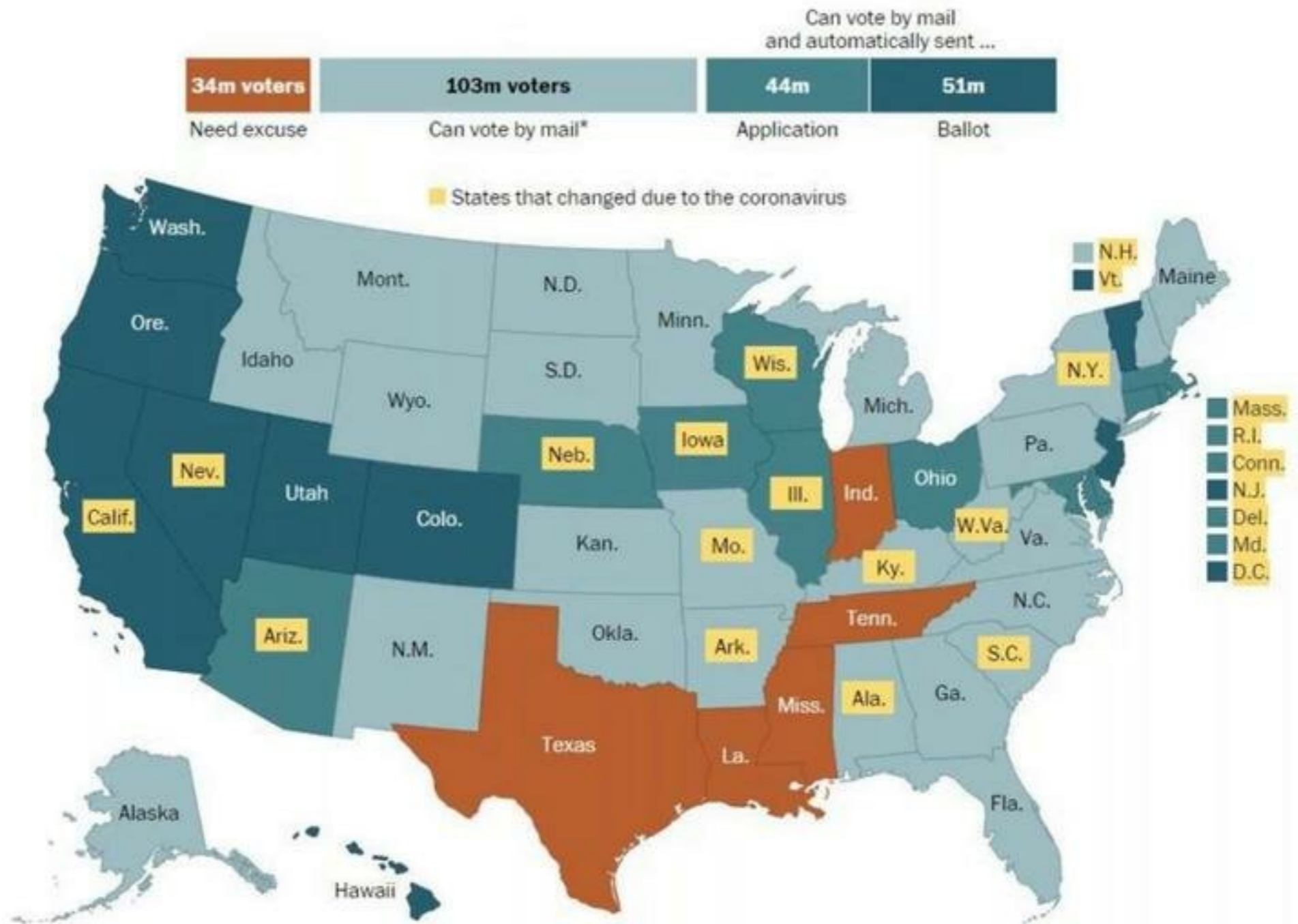
CORONAVIRUS
ROCKED
THE
VOTING
PROCESS.



2020 Presidential Debate



Can Vote By Mail



Can vote by mail includes states that don't require any excuse to vote absentee and states that will allow fear of the coronavirus as an excuse.



U.S. Senate and House 2020 Election Results

American Subcontractors Association
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U.S. Senate Results

Uncalled

Alaska, Georgia, Michigan,
and North Carolina

Runoff

Georgia special – Sen. Kelly
Loeffler (R) to face
Raphael Warnock (D) in a
Jan. 5, 2021, runoff

Incoming Freshmen

Bill Hagerty (R-TN)
John Hickenlooper (D-CO)
Mark Kelly (D-AZ)
Ben Ray Luján (D-NM)
Cynthia Lummis (R-WY)
Roger Marshall (R-KA)
Tommy Tuberville (R-AL)

Defeated Incumbents

Cory Gardner (R-Colo.) defeated by
Hickenlooper
Doug Jones (D-Ala.) defeated by
Tuberville
Martha McSally (R-Ariz.) defeated
by Kelly

Did Not Seek Re-election in 2020

Lamar Alexander (R-Tenn.)
Mike Enzi (R-Wyo.)
Pat Roberts (R-Kan.)
Tom Udall (D-N.M.)



U.S. Senate Results

- Democrats' prospects for taking control of the Senate were evaporating after several vulnerable Republican incumbents fended off well-financed Democratic challengers
- The battle for the Senate closely mirrored the presidential race, ending up much closer than many pre-election polls and forecasts had indicated
- While there were four Senate races still to be settled, Democrats would need an extraordinary surge to win three of them, which would give them the minimum 50 seats they'd need to control the Senate -- and only then if former Vice President Joe Biden prevails over President Donald Trump at the top of the ballot
- The Georgia special election runoff in January ensures the final tally won't be known for months, and the coming days will reveal if that seat will determine Senate control

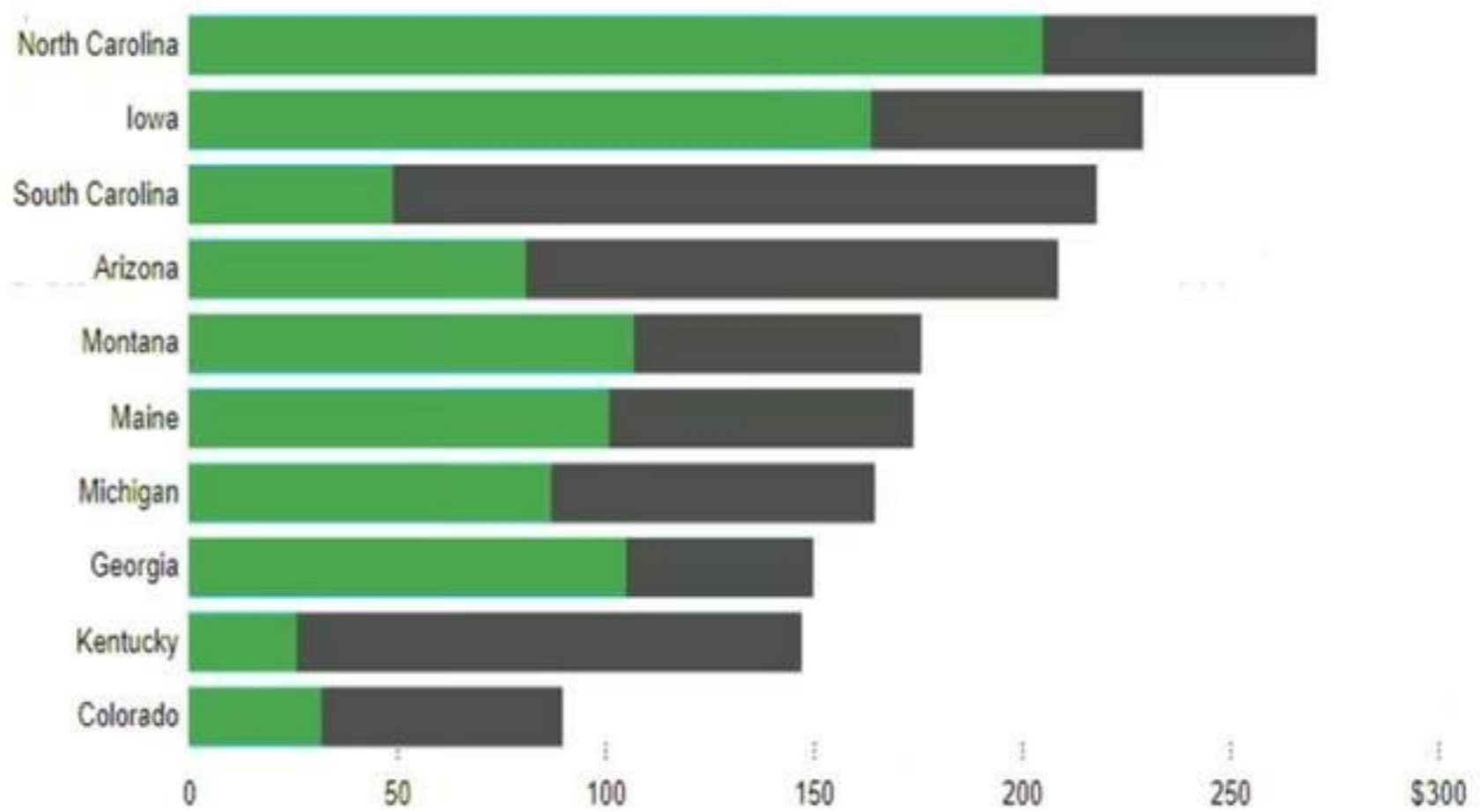


U.S. Senate Results

Top 10 Most Expensive 2020 Senate Races

Four races topped \$200 million; outside spending was at least \$100 million in five races

■ Independent expenditures ■ Candidate spending



Source: Federal Election Commission



U.S. House Results

House By the Numbers

Defeated in General

IA-01 – Abby Finkenauer (D)

FL-26 – Debbie Mucarsel-Powell (D)

FL-27 – Donna Shalala (D)

MN-07 – Collin Peterson (D)

OK-05 – Kendra Horn (D)

SC-01 – Joe Cunningham (D)

NM-02 – Xochitl Torres Small (D)

Defeated in Primary

CO-03 – Scott Tipton (R)

FL-15 – Ross Spano (R)

IA-04 – Steve King (R)

IL-03 – Dan Lipinski (D)

KS-02 – Steve Watkins (R)

MO-01 – Lacy Clay (D)

NY-16 – Eliot Engel (D)

VA-05 – Denver Riggleman (R)

Defeated for Other Office

AL-01 – Bradley Byrne (R), lost Senate primary

GA-09 – Doug Collins (R), defeated in Senate special election

MA-04 – Joe Kennedy (D), lost Senate primary

UT-01 – Rob Bishop (R), lost primary for lieutenant governor

Elected to Other Office

CA-08 – Paul Cook (R), elected to San Bernardino County Board of Supervisors

KS-01 – Roger Marshall (R), elected to Senate

MT-AL – Greg Gianforte (R), elected governor

NM-03 – Ben Ray Lujan (D), elected to Senate

WA-10 – Denny Heck (D), elected lieutenant governor

	2020 Win	Incumbent Losses
Republicans	190	0
Democrats	204	6
Undecided/Runoff	41	–

Source: The Associated Press as of Nov. 4 at 9:30 p.m. EST

Incoming Freshmen

See the [latest list](#) with biographies and office contact information

Did Not Seek Re-election

AL-02 – Martha Roby (R)

CA-53 – Susan Davis (D)

FL-03 – Ted Yoho (R)

FL-19 – Francis Rooney (R)

GA-07 – Rob Woodall (R)

HI-02 – Tulsi Gabbard (D)

IA-02 – Dave Loebsack (D)

IL-15 – John Shimkus (R)

IN-01 – Pete Visclosky (D)

IN-05 – Susan Brooks (R)

LA-05 – Ralph Abraham (R)

MI-03 – Justin Amash (L)

MI-10 – Paul Mitchell (R)

NC-02 – George Holding (R)

NC-06 – Mark Walker (R)

NY-02 – Peter King (R)

NY-15 – José Serrano (D)

NY-17 – Nita Lowey (D)

OR-02 – Greg Walden (R)

TN-01 – Phil Roe (R)

TX-11 – Michael Conaway (R)

TX-13 – Mac Thornberry (R)

TX-17 – Bill Flores (R)

TX-22 – Pete Olson (R)

TX-23 – Will Hurd (R)

TX-24 – Kenny Marchant (R)

WI-05 – Jim Sensenbrenner (R)



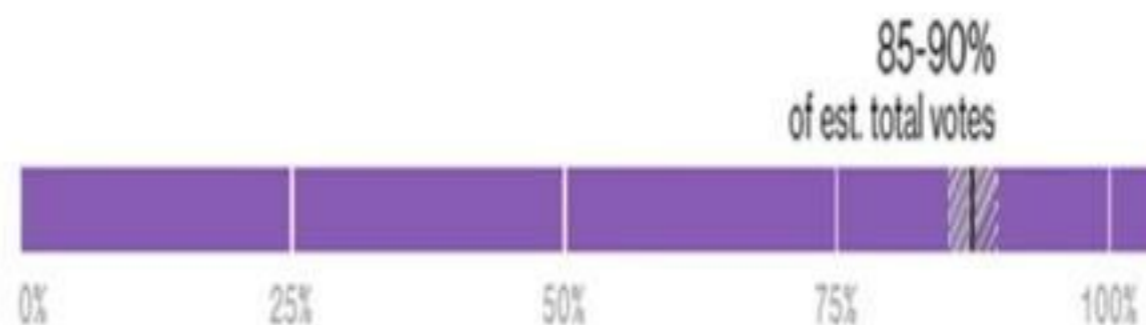
U.S. House Results

- Democrats are poised to keep control of the House, but fell short of expanding their majority in the face of Republican strength
- At least seven Democratic incumbents lost their seats and others remain in jeopardy; among those defeated were several elected in the 2018 “blue wave” that swept the party into the House majority, as well as Agriculture Chairman Collin Peterson, who has represented his Minnesota district since 1991
- With the losses and the failure to flip targeted GOP seats in Illinois, Ohio and Texas, Speaker Nancy Pelosi will have less room to maneuver and will face questions from House Democrats about her strategy and priorities leading up to the election
- Pelosi also is expected to face more pressure from the progressive left; New York Representative Alexandria Ocasio-Cortez easily won re-election and will be joined by several more self-described progressive members replacing more centrist Democrats



How Many Votes Have Been Counted?

141 million out of 157 million to 165 million estimated total votes



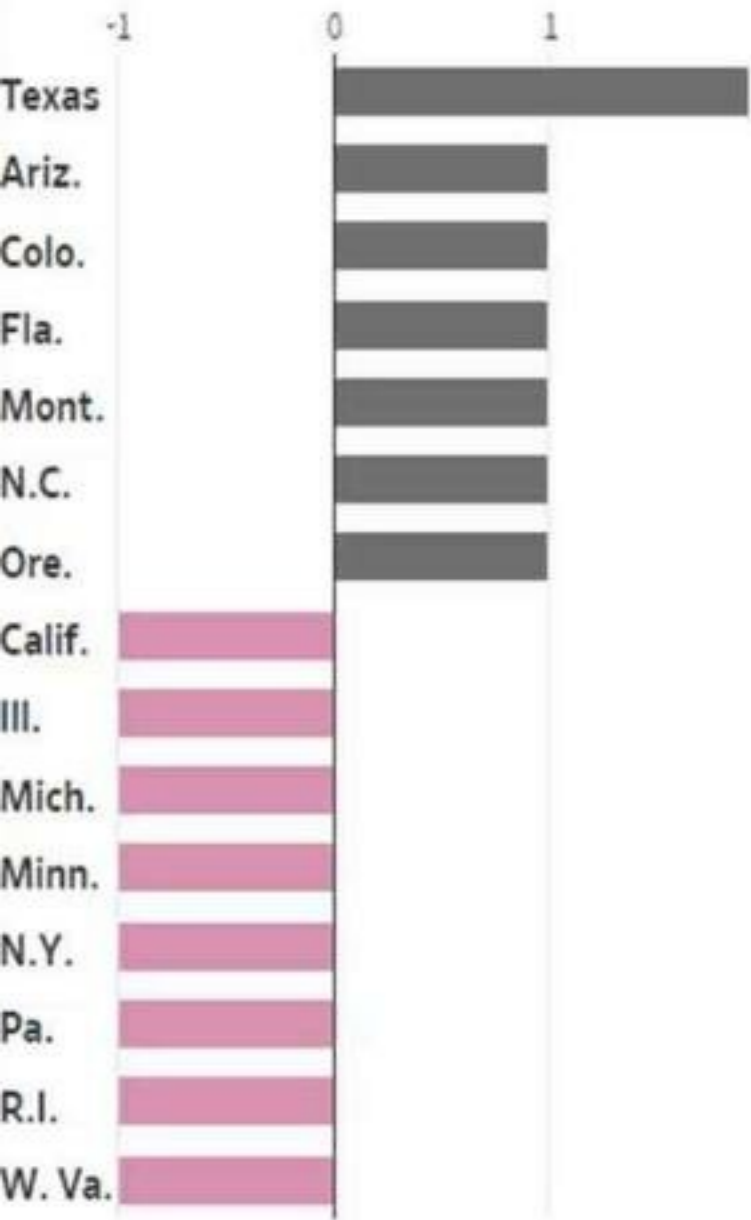
Record numbers of voters cast ballots early either in person or by mail and states may be slow in counting and reporting results



Population Shift Helps South and Southwest

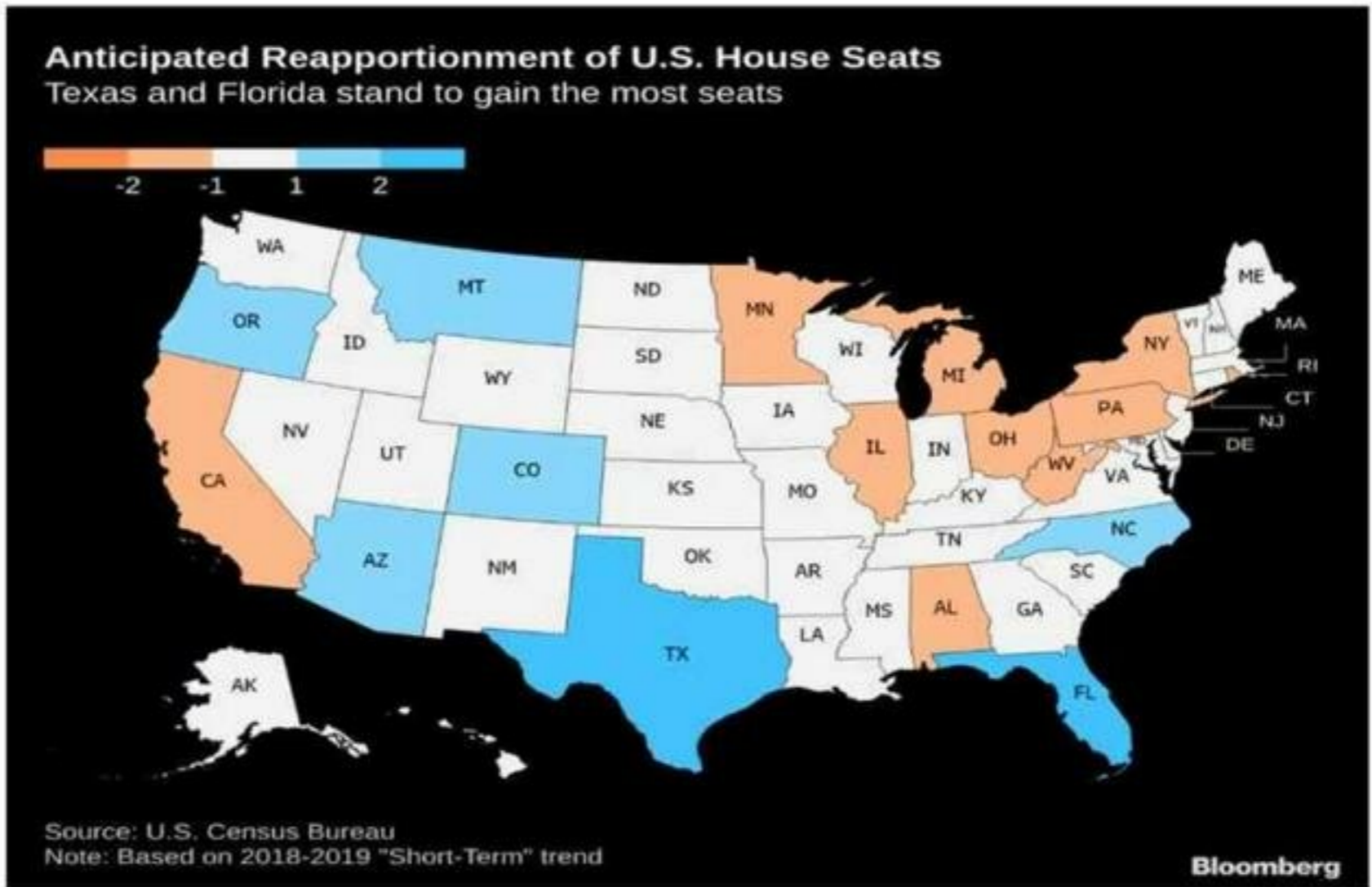
Seat Shuffle

If House seats were allotted using the 2019 population estimates, Texas would gain two seats.



Source: WSJ analysis of Census data

- **Texas, Florida and North Carolina will likely gain House seats in the 2022 elections, while Michigan, Ohio and Pennsylvania will continue to lose political clout:**
 - 17 states' representation may be affected by the once-a-decade census
 - Continues decades-long trend of the South and West expanding more California, projected to lose one of its 53 seats, would lose House seat for first time
 - Florida is projected to have a larger delegation (29) than New York (26)
 - Reapportionment would be released after the census and in effect for 2022 elections





ASA Task Force on Government Advocacy

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2020 Legislative Priorities

- H.R. 2344: Change Orders
- S. 1434 / H.R. 5644: Reverse Auction
- H.R. 6359: P3 Bonding Requirements on Transportation Projects
- H.R. 5329: Freedom from Government Competition Act
- H.R. 5247: SUBS Act – Bid Listing
- S.4203: The American Infrastructure Bonds Act of 2020
- H.R. 6776: JOBS Credit Act
- Congressional Caucus (Construction Procurement Caucus) Introduced on March 5, 2020: ASA Founding Member

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**2021 Legislative Fly-In
June 15-17, 2021**