

# Going Right Down To The Wire

## Could challenger oust six-term incumbent in congressional race?

BY KYLE CAMPBELL



**U.S. Representative Tim Bishop during a recent debate in Hampton Bays.**



**State Senator Lee Zeldin after a debate in Hampton Bays. KYLE CAMPBELL PHOTOS**



**U.S. Representative Tim Bishop, left, and State Senator Lee Zeldin during a recent debate at Westhampton Beach High School. KYLE CAMPBELL**

It's a Monday night in late September, and Tim Bishop is sitting in the Hampton Bays High School auditorium, positioned behind a purple cloth-covered table and in front of an American flag running the length of the stage.

Attempting to explain his views on the Affordable Care Act, the six-term U.S. congressman, a Democrat, can barely finish uttering the words “work in progress” before being interrupted by a chorus of groans, jeers and raspberries from a crowd saturated with supporters of his opponent, Republican Lee Zeldin. After a brief pause, the incumbent picks up from where he left off, only to be cut off by the crowd once again.

“I’m sorry, did I interrupt someone?” a flustered Mr. Bishop asked sarcastically.

It is a scene that played out several more times that evening, as well as at debates in Riverhead and Westhampton Beach, with supporters of Mr. Zeldin—many arriving in a white, camouflage-painted bus plastered with signs reading “Vote for a Vet” and “Zeldin [for] Congress”—heckling the

Democratic congressman.

In many ways, it is emblematic of the campaign as a whole, one rife with attacks against both candidates, and one in which the well-established Mr. Bishop must defend his record to fend off Mr. Zeldin's grassroots following.

## **A Competitive Race**

On Tuesday, Mr. Bishop, a resident of Southampton Village, will seek reelection for the sixth time to represent New York's 1st Congressional District, which encompasses most of eastern Long Island. To do so, he must defeat Mr. Zeldin, a Republican state senator from Shirley, who lost to Mr. Bishop in 2008.

Political pundits and prognosticators have forecast a competitive race since the beginning of the year, but most expect Mr. Bishop to return to Washington, D.C., for a seventh term.

"Zeldin will probably do better than his first run in 2008," said Jeffrey Segal, chairman of the Political Science Department at Stony Brook University. "But unless there's a huge tidal wave for the Republicans—I think there will be a surge, but nothing monumental—I don't think he'll have enough support to beat Bishop."

The Cook Political Report, a Washington, D.C., organization that analyzes and, often correctly, predicts the outcomes of House, Senate, state governors' and presidential races, has the district leaning toward Mr. Bishop, as does Capitol Hill news source Roll Call. The lone independent poll regarding this race, sponsored by Siena College and Newsday, showed Mr. Bishop ahead by 10 points, though that was released in early September.

Experts point to Mr. Bishop's 16-point victory against Mr. Zeldin in 2008, as well as his ability to stave off a hearty challenge in 2010, as evidence of his security.

## Two Key Factors

Predictions aside, history and recent election results in the 1st District show that Mr. Zeldin could very plausibly unseat Mr. Bishop, as the incumbent is vulnerable on two fronts this year, both having little to do with him personally.

First, as a Democrat, he must deal with the backlash of being in the same party as the sitting president, a daunting task during midterm elections, especially when that president has an average approval rating this month of 41 percent and hasn't achieved an average approval rating of 45 percent or better in a full calendar year, according to [RealClearPolitics.com](http://RealClearPolitics.com).

As Mr. Segal points out, the second midterm under a sitting president is often more treacherous for the president's party—George W. Bush's Republicans lost five Senate seats and 34 House seats in 2006 after gaining in both houses in 2002, and Ronald Reagan's GOP lost eight Senate seats and five House seats in his second midterm after also gaining 12 Senate and 34 House seats in his first midterm.

President Obama's Democrats lost five Senate seats and 64 House seats in 2010 during a Tea Party wave that nearly unseated Mr. Bishop, who defeated Randy Altschuler by fewer than 600 votes that year. Mr. Bishop himself saw success during the two midterm elections under President Bush, first in 2002 when he ousted Republican Felix Grucci, then in 2006 when he had his biggest victory of his career, beating political newcomer Italo Zanzi by 25 percentage points, with 62 percent of the vote.

The second issue Mr. Bishop faces is a growing anti-incumbent sentiment across the country, one that blames Congress for gridlock on issues ranging from immigration reform to the national debt. However, this might prove to be less influential in this specific race, according to Stony Brook University political science professor Helmut Norpoth, whose research is focused, in part, on election trends.

“People say they don’t like Congress, but they can’t vote for Congress—they can vote for one candidate,” he said. “The way you feel about Washington as a whole doesn’t necessarily impact what you think of your congressman.”

## **Voter Turnout Matters**

The real reason Mr. Zeldin might be poised for an upset lies in the numbers. In both the 2002 and 2006 midterm elections, total turnout in the district, according to the Suffolk County Board of Elections, was about 167,700, give or take a couple of dozen votes. Meanwhile, in the presidential elections of 2004, 2008 and 2012, there were roughly 278,000 votes cast in each election.

With the exception of the 2010 election, which saw a voter turnout of 196,039—roughly 10 percent more than Mr. Bishop’s midterm average, likely due to the highly successful Tea Party movement that year—the voting populous in the district has proven to be reliably consistent.

Without a major issue or presidential candidate on the ballot to galvanize voters, it’s relatively safe to say there will be around 167,700 voters this year in the 1st District, meaning the winner is will need about 84,000 votes to win. The average number of votes Mr. Bishop’s challengers have received during midterm elections is 80,858—Mr. Altschuler was the only candidate able to surpass 82,000 votes on a midterm election year, which he did in 2010.

Since 2008, Mr. Zeldin has added four years of legislative experience in Albany to his record, which already included passing the New York State Bar Exam at 23, active duty deployment to Iraq with the U.S. Army, as well as service in the U.S. Army Reserves, in which he currently is a major. Mr. Zeldin believes he has gained both credibility and name recognition that he didn’t have as a 28-year-old challenger in 2008.

“In 2008, we started the race with no name recognition, no volunteers

and no donors,” Mr. Zeldin said. “It was a different climate. The issues people were talking about in 2008 were different. That was the year Senator Obama was getting elected to the presidency with a whole lot of momentum, and this year there are a lot of people who may have voted for him six years ago and are dissatisfied.”

## **More Money To Spend**

Mr. Zeldin also has deeper pockets this time around, thanks to individual donors, party funds and the 2010 Supreme Court ruling on the Citizens United vs. Federal Election Commission lawsuit that resulted in massive amounts of money being spent on behalf of candidates by groups known as Super PACs.

Although Mr. Bishop has still out-raised him by about a million dollars thus far, Mr. Zeldin had already come close to doubling his total receipts from 2008 as of October 15, according to the Federal Election Commission’s website, fec.gov. So far, Mr. Zeldin has raised \$1.6 million this election cycle, compared to about \$870,000 in 2008; he’s also seen his donations from political action committees, or PACs, balloon from \$24,200 to \$268,174, while his direct receipts from party groups increased from \$250 to \$34,157.

Perhaps more important, Mr. Zeldin has benefited from roughly \$3.7 million in outside Super PAC spending this campaign cycle, most of which has gone toward attack ads targeting both Mr. Bishop and Mr. Zeldin’s primary challenger, George Demos. Almost \$2.1 million has been spent by the National Republican Congressional Committee, the Republican Party’s official Super PAC, on behalf of Mr. Zeldin.

Nearly all the advertisements against Mr. Bishop have accused the congressman of being corrupt, citing an Office of Congressional Ethics investigation that has been ongoing since 2012. In May of that year, Mr. Bishop helped secure permits for a private fireworks show on behalf of a Sagaponack couple, then asked the residents, Eric and Tracy Semler, to

donate to his campaign, which they did to the tune of \$5,000. While a report from the OCE released in 2013 stated that there was some reason to believe Mr. Bishop violated House rules, a final decision has not been reached.

Mr. Bishop said earlier this week that the tone of this year's campaign has been quite similar to the one during his 2010 race against Mr. Altschuler.

“For this campaign, the attacks that have been leveled against me have been particularly personal and particularly brutal,” he said. “But if after 12 years in office all they can do is replay the same false accusations against me, I'd say that says a lot for my record.”

### **Is Probe A Non-Factor?**

Mr. Bishop has benefited from \$4.9 million in outside spending, including \$1.55 million from the Democratic Congressional Campaign Committee, as well as \$1.2 million from the liberal House Majority PAC. With ads attacking Mr. Zeldin for statements he made in 2008 about supporting a private option for future Social Security recipients, as well as criticizing Mr. Zeldin for receiving campaign contributions from “a company that illegally dumped 50,000 tons of toxic waste in Suffolk County parks,” Mr. Bishop's backers have not been afraid to sling their fair share of mud.

Mr. Segal said he foresees the ads against Mr. Zeldin playing a greater role than those against Mr. Bishop, noting that Mr. Bishop faced the same criticisms in 2012 in his rematch with Mr. Altschuler and ultimately went on to win by five percentage points.

“The anti-Bishop ads have been on the corruption stuff, but this isn't anything new—people knew this last time and elected him anyway,” Mr. Segal said. “That's just normal, everyday politics.”

Likewise, David Wasserman, House editor at the Cook Political Report, said the corruption allegations were a non-factor in 2012 and that he expects the same to hold true in 2014.

“The race is competitive, certainly much more competitive than when they ran last time in 2008,” Mr. Wasserman said. “Part of that has to be President Obama’s approval ratings being where they are, part of it has to do with the ethics probe, yet Bishop still seems to be in position to win reelection.

“If you didn’t lose in 2010 then you shouldn’t be in trouble in 2014,” he continued.