

FOX NEWS POLL

OPINION DYNAMICS

14 May 2009

Polling was conducted by telephone May 12 - 13, 2009, in the evenings. The total sample is 900 registered voters nationwide with a margin of error of ± 3 percentage points. Results are of registered voters, unless otherwise noted.

LV = likely voters

Democrats n=375, ± 5 ; Republicans n=274, ± 6 ; independents n=213, ± 7

1. Do you approve or disapprove of the job Barack Obama is doing as president?

| | Approve | Dis approve | (DK) | | Approve | Dis approve | (DK) |
|-----------------|---------|----------------|------|--------------|---------|----------------|------|
| 12-13 May 09 | 60% | 30 | 9 | 3-4 Mar 09 | 63% | 26 | 11 |
| Democrats | 93% | 5 | 2 | Democrats | 92% | 3 | 4 |
| Republicans | 23% | 63 | 13 | Republicans | 30% | 56 | 13 |
| Independents | 57% | 30 | 13 | Independents | 61% | 24 | 15 |
| 22-23 Apr 09 | 62% | 29 | 8 | 17-18 Feb 09 | 60% | 26 | 14 |
| Democrats | 92% | 4 | 4 | Democrats | 90% | 5 | 5 |
| Republicans | 24% | 66 | 10 | Republicans | 29% | 53 | 18 |
| Independents | 57% | 29 | 14 | Independents | 62% | 19 | 19 |
| 31 Mar-1 Apr 09 | 58% | 32 | 9 | 27-28 Jan 09 | 65% | 16 | 19 |
| Democrats | 90% | 5 | 5 | Democrats | 85% | 2 | 12 |
| Republicans | 23% | 66 | 11 | Republicans | 37% | 36 | 27 |
| Independents | 52% | 35 | 13 | Independents | 64% | 16 | 19 |

2. Do you approve or disapprove of the job Congress is doing?

| | Approve | Dis approve | (DK) | | Approve | Dis approve | (DK) |
|-----------------|---------|----------------|------|---------------|---------|----------------|------|
| 12-13 May 09 | 41% | 49 | 10 | 22-23 Jul 08 | 21% | 68 | 11 |
| Democrats | 64% | 25 | 11 | 17-18 Jun 08 | 19% | 69 | 13 |
| Republicans | 14% | 78 | 8 | 28-29 Apr 08 | 22% | 67 | 11 |
| Independents | 37% | 53 | 10 | 18-19 Mar 08 | 20% | 67 | 12 |
| RECENT TREND | | | | 19-20 Feb 08 | 22% | 68 | 10 |
| 31 Mar-1 Apr 09 | 38% | 52 | 10 | 30-31 Jan 08 | 22% | 66 | 12 |
| 3-4 Mar 09 | 41% | 48 | 10 | 18-19 Dec 07 | 25% | 60 | 15 |
| 17-18 Feb 09 | 39% | 50 | 10 | 13-14 Nov 07 | 26% | 61 | 14 |
| 27-28 Jan 09 | 40% | 46 | 14 | 23-24 Oct 07 | 25% | 54 | 22 |
| 13-14 Jan 09 | 23% | 68 | 10 | 9-10 Oct 07 | 24% | 63 | 12 |
| 9-10 Dec 08 | 20% | 71 | 9 | 25-26 Sep 07 | 24% | 63 | 13 |
| 1-2 Nov 08 | 18% | 75 | 7 | 11-12 Sep 07 | 32% | 56 | 11 |
| 1-2 Nov 08 LV | 18% | 75 | 7 | 21-22 Aug 07 | 24% | 60 | 17 |
| 28-29 Oct 08 | 17% | 76 | 6 | 5-6 Jun 07 | 29% | 55 | 15 |
| 28-29 Oct 08 LV | 18% | 77 | 5 | 15-16 May 07 | 32% | 53 | 15 |
| 20-21 Oct 08 | 19% | 72 | 9 | 17-18 Apr 07 | 35% | 49 | 16 |
| 20-21 Oct 08 LV | 18% | 73 | 8 | 27-28 Mar 07 | 30% | 54 | 16 |
| 8-9 Oct 08 | 13% | 77 | 10 | 27-28 Feb 07 | 32% | 49 | 20 |
| 22-23 Sep 08 | 17% | 73 | 9 | 30-31 Jan 07 | 33% | 44 | 22 |
| 8-9 Sep 08 | 23% | 68 | 8 | 16-17 Jan 07 | 32% | 47 | 21 |
| 19-20 Aug 08 | 20% | 73 | 7 | 4-5 Nov 06 LV | 29% | 57 | 13 |

| | | | | | | | |
|-----------------|-----|----|----|--------------|-----|----|----|
| 10-11 Oct 06 LV | 31% | 63 | 6 | 13-14 Jun 06 | 29% | 59 | 12 |
| 12-13 Sep 06 LV | 29% | 53 | 18 | 16-18 May 06 | 27% | 56 | 17 |
| 29-30 Aug 06 | 24% | 61 | 15 | 18-19 Apr 06 | 25% | 52 | 23 |
| 8-9 Aug 06 | 24% | 58 | 17 | 14-15 Mar 06 | 29% | 55 | 16 |
| 11-12 Jul 06 | 25% | 61 | 14 | | | | |

3. In the next congressional election in 2010, are you more likely to:
 SCALE: 1. Vote for the Democrat to help Barack Obama pass his policies and programs 2. Vote for the Republican to provide a check on Obama's power 3. (Too soon to say) 4. (Don't know/Refused)

| | Democrat | Republican | (Too soon) | (DK/Ref) |
|--------------|----------|------------|------------|----------|
| 12-13 May 09 | 47% | 35 | 14 | 4 |
| Democrats | 86% | 6 | 7 | 2 |
| Republicans | 5% | 81 | 11 | 3 |
| Independents | 35% | 31 | 25 | 9 |
| 22-23 Apr 09 | 46% | 33 | 17 | 4 |

4. I'm going to read a list of potential candidates for the 2012 Republican nomination. Please tell me which one you would like to see as the Republican presidential nominee.

(RANDOMIZE LIST)

| | Total | Rep | Ind |
|-----------------------|-------|-----|-----|
| 1. Rudy Giuliani | 16% | 12% | 19% |
| 2. Mike Huckabee | 15 | 20 | 16 |
| 3. Mitt Romney | 14 | 18 | 12 |
| 4. Sarah Palin | 9 | 13 | 10 |
| 5. Newt Gingrich | 7 | 14 | 5 |
| 6. Jeb Bush | 3 | 3 | 2 |
| 7. Mark Sanford | 3 | 4 | 2 |
| 8. Bobby Jindal | 2 | 3 | 2 |
| 9. (Someone else) | 10 | 3 | 9 |
| 10. (Too soon to say) | 9 | 7 | 14 |
| 11. (Don't know) | 11 | 4 | 9 |

5. Taking all aspects of their lives into account, how happy do you think most Americans are today?

SCALE: 1. Very happy 2. Happy 3. Only somewhat happy 4. Not really happy at all 5. (Don't know/refused)

| | Very happy | Happy | Only somewhat happy | Not really happy at all | (DK/Ref) |
|--------------|------------|-------|---------------------|-------------------------|----------|
| 12-13 May 09 | 2% | 15 | 53 | 27 | 2 |
| Democrats | 4% | 20 | 56 | 19 | 1 |
| Republicans | 3% | 13 | 52 | 30 | 2 |
| Independents | -% | 11 | 51 | 36 | 2 |
| 18-19 Apr 01 | 6% | 32 | 47 | 11 | 4 |

6. How about you personally, are you:

SCALE: 1. Very happy 2. Happy 3. Only somewhat happy 4. Not really happy at all 5. (Don't know/refused)

| | Very happy | Happy | Only somewhat happy | Not really happy at all | (DK/Ref) |
|--------------|------------|-------|---------------------|-------------------------|----------|
| 12-13 May 09 | 20% | 36 | 28 | 15 | 1 |
| Democrats | 22% | 38 | 30 | 9 | 1 |
| Republicans | 20% | 36 | 23 | 21 | 1 |
| Independents | 19% | 35 | 32 | 15 | - |
| 18-19 Apr 01 | 23% | 45 | 24 | 7 | 1 |

7. In general, do you think America's best days are ahead of us or behind us?

| | Ahead | Behind | (Depends) | (Don't know) |
|--------------|-------|--------|-----------|--------------|
| 12-13 May 09 | 57% | 33 | 7 | 3 |
| Democrats | 69% | 21 | 5 | 5 |
| Republicans | 42% | 49 | 6 | 3 |
| Independents | 56% | 31 | 12 | 2 |

Questions 8-34 held for release

35. How comfortable are you with Barack Obama selecting the next U.S. Supreme Court nominee?

SCALE: 1. Very comfortable 2. Somewhat comfortable 3. Not very comfortable 4. Not at all comfortable 5. (Don't know)

| | -- Comfortable -- | | | - Uncomfortable - | | | (DK) |
|--------------|-------------------|-----|-------|-------------------|-------|----|------|
| | TOTAL | Vry | Smwht | TOTAL | Ntvry | Nt | |
| 12-13 May 09 | 60% | 34 | 26 | 33 | 13 | 20 | 7 |
| Democrats | 88% | 57 | 31 | 6 | 4 | 2 | 7 |
| Republicans | 24% | 7 | 17 | 70 | 23 | 47 | 6 |
| Independents | 61% | 30 | 31 | 31 | 14 | 17 | 8 |

For reference: How comfortable are you with George W. Bush selecting the next U.S. Supreme Court nominee?

SCALE: Very comfortable 2. Somewhat comfortable 3. Not very comfortable 4. Not at all comfortable 5. (Not sure)

| | -- Comfortable -- | | | - Uncomfortable - | | | (NS) |
|------------------|-------------------|-----|-------|-------------------|-------|----|------|
| | TOTAL | Vry | Smwht | TOTAL | Ntvry | Nt | |
| 14-15 Jun 05 | 54% | 31 | 23 | 43 | 15 | 28 | 4 |
| Democrats | 22% | 7 | 15 | 75 | 22 | 53 | 4 |
| Republicans | 90% | 61 | 29 | 7 | 4 | 3 | 2 |
| Independents | 52% | 27 | 25 | 46 | 19 | 27 | 2 |
| 16-17 Nov 04 | 59% | 39 | 20 | 34 | 10 | 24 | 7 |
| 30 Jun-1 Jul 03* | 59% | 32 | 27 | 34 | 14 | 20 | 7 |

*"Given President Bush's appointments in other areas, how..."

36. How do you think the Supreme Court should interpret the Constitution? (READ RESPONSES "1" AND "2")

SCALE: 1. No matter what the outcome, the court should follow what the Framers meant when they wrote the Constitution 2. If necessary, the court should ignore what the Framers meant to reach the outcome it feels is appropriate for today 3. (In between/Combination) 4. (Don't know)

| | Follow what Framers meant | | Reach outcome appropriate for today | | (In between/Combination) | | (DK) |
|--------------|---------------------------|-----|-------------------------------------|-----|--------------------------|-----|------|
| | TOTAL | Vry | TOTAL | Vry | TOTAL | Vry | |
| 12-13 May 09 | 60% | 31 | 26 | 15 | 8 | 10 | 6 |
| Democrats | 44% | 7 | 37 | 22 | 10 | 10 | 9 |
| Republicans | 78% | 61 | 13 | 4 | 5 | 5 | 4 |
| Independents | 61% | 27 | 27 | 19 | 8 | 8 | 4 |

For reference: Which of the following comes closest to your view of how the Constitution should be interpreted by the U.S. Supreme Court? (ROTATE CHOICES)

SCALE: 1. Judges should base their rulings on what they believe the Constitution's framers meant when it was originally written 2. Judges should base their rulings on what they believe the Constitution means in today's world 3. (In between/Combination) (Don't know)

| | Originally written | | Means today | | (Comb.) | | (Don't know) |
|--------------|--------------------|-----|-------------|-----|---------|-----|--------------|
| | TOTAL | Vry | TOTAL | Vry | TOTAL | Vry | |
| 30-31 Aug 05 | 47% | 31 | 36 | 10 | 10 | 8 | 8 |

37. - 41. Supreme Court Justice David Souter recently announced he will resign at the end of his term, which will give Barack Obama his first chance to nominate a Supreme Court justice. I'm going to read a list of qualities that might be considered when selecting a new justice. For each one, please tell me whether you think it:

SCALE: 1. Should be the single most important factor 2. Should be a factor, but not the most important 3. Shouldn't matter 4. Should be a disqualifying factor 5. (Don't know) (ROTATE LIST)

| | Single most important | Not most important | Shouldn't matter | Disqual. factor | (DK) |
|---|-----------------------|--------------------|------------------|-----------------|------|
| The nominee being a woman | 5% | 18 | 75 | 1 | - |
| Democrats | 8% | 22 | 69 | 1 | 1 |
| Republicans | 3% | 12 | 82 | 3 | - |
| Independents | 4% | 19 | 75 | 1 | 1 |
| The nominee being a minority | 4% | 17 | 75 | 2 | 2 |
| Democrats | 6% | 21 | 69 | 2 | 2 |
| Republicans | 4% | 12 | 80 | 3 | 2 |
| Independents | 4% | 17 | 77 | 1 | 2 |
| The nominee being a homosexual | 4% | 11 | 66 | 17 | 2 |
| Democrats | 4% | 10 | 75 | 9 | 2 |
| Republicans | 4% | 10 | 55 | 29 | 2 |
| Independents | 3% | 15 | 64 | 15 | 3 |
| The nominee having judicial experience | 45% | 44 | 8 | 1 | 1 |
| Democrats | 42% | 44 | 11 | 2 | 2 |
| Republicans | 48% | 48 | 4 | - | - |
| Independents | 47% | 42 | 9 | 1 | 1 |
| The nominee sharing Obama's views on key issues | 12% | 29 | 47 | 10 | 3 |
| Democrats | 16% | 34 | 46 | 2 | 3 |
| Republicans | 7% | 23 | 47 | 21 | 2 |
| Independents | 11% | 28 | 48 | 10 | 3 |

42. As you may know, it is not a requirement for a Supreme Court justice to be an attorney. What do you think would be the better choice for the country -- for the next justice to be one of the smartest legal minds available or the next justice to be a regular everyday American? (ROTATE)

| | The smartest legal mind available | A regular everyday American | (Don't know) |
|--------------|-----------------------------------|-----------------------------|--------------|
| 12-13 May 09 | 58% | 38 | 4 |
| Democrats | 58% | 38 | 4 |
| Republicans | 57% | 38 | 5 |
| Independents | 63% | 36 | 2 |

RANDOMIZE NEXT THREE QUESTIONS

43. Do you think Hillary Clinton would make a good Supreme Court Justice, or not?

| | Yes | No | (Don't know) |
|--------------|-----|----|--------------|
| 12-13 May 09 | 42% | 53 | 5 |
| Democrats | 64% | 32 | 5 |
| Republicans | 16% | 82 | 2 |
| Independents | 39% | 52 | 9 |

44. Do you think Al Gore would make a good Supreme Court Justice, or not?

| | Yes | No | (Don't know) |
|--------------|-----|----|--------------|
| 12-13 May 09 | 32% | 59 | 8 |
| Democrats | 50% | 40 | 10 |
| Republicans | 12% | 82 | 6 |
| Independents | 29% | 63 | 8 |

45. Do you think Oprah Winfrey would make a good Supreme Court Justice, or not?

| | Yes | No | (Don't know) |
|--------------|-----|----|--------------|
| 12-13 May 09 | 16% | 78 | 6 |
| Democrats | 23% | 71 | 6 |
| Republicans | 10% | 87 | 3 |
| Independents | 13% | 77 | 9 |

46. If you had to choose, and assuming both people were qualified, would you rather the next Supreme Court nominee be a woman or a minority?

| | Woman | Minority | (Both the same/Neither) | (Don't know) |
|--------------|-------|----------|-------------------------|--------------|
| 12-13 May 09 | 35% | 13 | 47 | 5 |
| Democrats | 35% | 18 | 44 | 3 |
| Republicans | 41% | 9 | 44 | 7 |
| Independents | 31% | 11 | 53 | 5 |

Questions 47-51 held for release

52. At the request of the American Civil Liberties Union, later this month the Pentagon will release photos of alleged detainee abuse by U.S. soldiers in Iraq and Afghanistan. How likely do you think it is that the release of these photos will cause a backlash against the United States and endanger the lives of U.S. troops: Very likely, somewhat likely, not very likely or not at all likely?

| | Very likely | Somewhat likely | Not very likely | Not at all likely | (Don't know) |
|--------------|-------------|-----------------|-----------------|-------------------|--------------|
| 12-13 May 09 | 41% | 36 | 12 | 7 | 4 |
| Democrats | 31% | 39 | 15 | 11 | 4 |
| Republicans | 48% | 36 | 9 | 4 | 3 |
| Independents | 50% | 33 | 8 | 6 | 3 |

Questions 53 - 62 held for release

63. Do you think Barack Obama is making too many public appearances and holding too many press conferences, too few appearances and press conferences, or about the right number?

| | Too many | Too few | About right | (Don't know) |
|--------------|----------|---------|-------------|--------------|
| 12-13 May 09 | 30% | 5 | 61 | 4 |
| Democrats | 11% | 7 | 81 | 1 |
| Republicans | 57% | 3 | 34 | 5 |
| Independents | 28% | 5 | 62 | 5 |

64. Do you think it is right for the Obama administration to continue to blame the Bush administration for mistakes or is it time for the Obama administration to start taking responsibility?

SCALE: 1. Right to continue to blame Bush 2. Time for Obama to take responsibility 3. (Depends on the issue) 4. (Don't know)

| | Right to blame Bush | Obama take responsibility | (Depends) | (Don't know) |
|--------------|------------------------|------------------------------|-----------|--------------|
| 12-13 May 09 | 21% | 64 | 12 | 4 |
| Democrats | 38% | 43 | 14 | 5 |
| Republicans | 8% | 86 | 6 | 1 |
| Independents | 10% | 69 | 15 | 6 |

65. Who do you think the White House will put in a muzzle first -- Vice President Joe Biden or First Dog Bo?

| | Joe Biden | First dog Bo | (Both/Neither) | (Don't know) |
|--------------|-----------|--------------|----------------|--------------|
| 12-13 May 09 | 45% | 28 | 10 | 17 |
| Democrats | 37% | 32 | 13 | 18 |
| Republicans | 56% | 24 | 7 | 13 |
| Independents | 46% | 27 | 9 | 18 |

POLITICAL IDENTIFICATION: When you think about politics, do you think of yourself as a Democrat or a Republican?

| | Democrat | Republican | (Independent) | (Other) | (Refused/Don't know) |
|-----------------|----------|------------|---------------|---------|----------------------|
| 12-13 May 09 | 42% | 30 | 24 | 2 | 2 |
| 22-23 Apr 09 | 42% | 30 | 22 | 3 | 4 |
| 31 Mar-1 Apr 09 | 42% | 33 | 20 | 3 | 2 |
| 3-4 Mar 09 | 40% | 32 | 22 | 3 | 3 |
| 17-18 Feb 09 | 42% | 35 | 18 | 3 | 2 |
| 27-28 Jan 09 | 44% | 30 | 22 | 2 | 2 |
| 13-14 Jan 09 | 42% | 32 | 21 | 2 | 4 |
| 9-10 Dec 08 | 43% | 33 | 20 | 2 | 2 |
| 1-2 Nov 08 LV | 42% | 36 | 18 | 3 | 1 |
| 28-29 Oct 08 LV | 41% | 39 | 16 | 2 | 1 |
| 20-21 Oct 08 LV | 43% | 37 | 16 | 2 | 2 |
| 1-2 Nov 08 | 41% | 36 | 18 | 4 | 1 |
| 28-29 Oct 08 | 40% | 39 | 17 | 2 | 2 |
| 20-21 Oct 08 | 43% | 36 | 16 | 2 | 3 |
| 8-9 Oct 08 | 41% | 34 | 21 | 2 | 2 |
| 22-23 Sep 08 | 41% | 34 | 21 | 2 | 2 |
| 8-9 Sep 08 | 41% | 34 | 21 | 2 | 2 |
| 19-20 Aug 08 | 42% | 35 | 20 | 1 | 2 |