How much does control of the Senate matter for purposes of environmental law? If Congress remains in Democratic hands, the Democrats can make another run at a reconciliation bill. Even if the House flips, control of the Senate still matters a lot, though the reasons are more complicated.

The State of Play.

Here's where things sit right now in the most contested races. To win control of the Senate, Republicans need to hold their current seats and pick up at least one, most likely in Georgia, Nevada, or Arizona. Here's how the races are rated by two leading political forecasting outfits:

State	Incumbent	Sabato	Cook's
NV	Cortez (D)	Toss-up	Toss-up
AZ	*Kelly (D)*	*Toss-up*	*Toss-up*
PA	Open (currently R)	Toss-up	Toss-up
GA	*Warnock (D)*	*Toss-up*	*Toss-up*
WI	Johnson (R)	Lean R	Toss-up
NC	*Open (currently R)*	*Lean R*	*Toss-up*
NH	Hassan (D)	Lean D	Lean D
FL	*Rubio (R)*	*Likely R*	*Lean R*

The odds are very close, but since the Republicans only need to pick up one seat, they may have a slight edge. On the other hand, it's not out of the question for the Democrats to pick up a couple of seats. If they also kept the House, they would be able to pass reconciliation bills without the help of Joe Manchin, which would shift the balance of power. A lot will depend on what happens to the economy and COVID between now and November.

Why Senate Control Matters

You may wonder whether any of this matters if the Republicans take the House. The answer is yes, it still matters a lot.

Even without the House, control of the Senate matters for two reasons. The first reason involves appointments. If the Republicans gain control of the Senate, the Democrats will lose the ability to confirm federal judges and high-level executive officers. Federal judges have lifetime appointments. If the Democrats don't get a

chance to make judicial appointments for the rest of Biden's term, that will hinder environmental causes in the long run. In the shorter term, the ability to confirm executive branch appointments matters in terms of how effectively Biden's agency heads can be.

The second reason that control of the Senate matters involves the presidency. Normally, control of the Senate wouldn't matter in a presidential election. But after 2020, if the Republicans control Congress, they could flip the White House to the Republicans even if the Democrats win at the polls. Would that happen? Hopefully not, but it's definitely a possibility. The Democrats have less to worry about in 2024 if they can hold onto the Senate this year. Of course, they might lose at the polls in 2024 anyway, which would make control of the Senate irrelevant.