

The Legislative Scholar

The Newsletter of the Legislative Studies Section of the American Political Science Association

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MESSAGE FROM THE EDITORS

The Pervasive Problem of Gridlock

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This issue of *The Legislative Scholar* draws on research from legislatures around the world, U.S. Congress, and state legislatures, to highlight recent insights about the pervasive problem of legislative gridlock. In recent years, the U.S. Congress has hit historical lows for productivity, government shutdowns and eleventh hour deals to avert them have become commonplace, state legislatures have gone without budgets for years, and countries around the world have faced gridlock as well as policy and government instability. The contributors to this issue tackle the challenges surrounding gridlock – including the causes and consequences.

Gridlock is often portrayed as a problem of presidential systems, but Hanna Bäck and Royce Carroll argue that gridlock plagues parliamentary systems as well, leading to greater political instability. Valeria Palanza presents an innovative point of view by examining what happens with gridlock in settings where the executive can advance policy on its own. She argues that when the president has decree authority, he can do away with gridlock even when other veto players (like Congress) do not agree with the policy. Also with an institutional perspective, Greg Koger looks into the institutional and organizational causes of gridlock, emphasizing the role of filibusters and legislative parties. Danielle Thomsen points to a factor in the U.S. context that exacerbates polarization and gridlock – the decision of moderates to opt out of Congress because the institution is so inhospitable to them. Likewise, Eduardo Alemán and Sebastián Saiegh emphasize the importance of attending to factors beyond the number of veto players that shape the likelihood of chief executive's success and ability to overcome gridlock. They argue that scholars should pay attention to a broader set of institutional features than simply the number of veto players. Two of our contributors focus on how individual legislators contribute to gridlock or help to overcome it. Sarah Anderson, Daniel Butler, and Laurel Harbridge-Yong discuss their research of legislators' rejection of compromises that give them part, but not all of what they want and how this behavior is driven by legislators' perception that primary voters would punish them for compromising. Tracy Sulkin and William Bernhard discuss their work on legislative styles, pointing to policy specialists as valuable for moving legislation forward. The two remaining articles tackle questions about the consequences of gridlock. Molly Reynolds points out that even though the

federal appropriations process is not necessarily gridlocked, it is impacted by the broader culture of pervasive gridlock – the process is altered through omnibus bills and continuing resolutions, and issues that would otherwise be subject to gridlock (including high profile party initiatives) are included into budgeting bills to enable their passage. Justin Kirkland and Jeffrey Harden emphasize a potential positive consequence of gridlock and the challenges to quickly enacting legislation. When the legislative process is slow, there are more opportunities for legislators to learn about the consequences of a policy and change their minds.

This issue also highlights a current event and two data sets that may be of interest to legislative scholars. Jesse Richman discusses the 2017 state legislative and gubernatorial races in Virginia, and what insights these races have for the 2018 election cycle. Craig Volden and Alan Wiseman discuss the Legislative Effectiveness data and the opportunities for research in this domain. Derek Willis reviews the legislative data available through ProPublica, a non-profit journalism organization.

Laurel and Gisela

LEGISLATIVE GRIDLOCK

Polarization and Gridlock in Parliamentary Regimes

Hanna Bäck

Lund University
with

Royce Carroll

University of Essex

In presidential regimes, gridlock – the inability to enact policy change despite elite or mass demands – derives from the combination of fixed terms and the interdependency of the separately elected legislative and executive branches. The potential consequences of this have been examined extensively in a comparative context, inspired by Linz's (1990) work on the potential for regime-threatening paralysis in presidentialism. Most scholarly work on gridlock focuses on the US case, where the combination of a weak president, divided government, supermajority rules, and centralized agenda control make gridlock a persistent phenomenon (Binder 2004). As the causes of gridlock in the US depend on the policy preferences of elites, party polarization in the US Congress has restricted cooperation between parties and exacerbated the consequences of

gridlock (Barber and McCarty 2015). In what follows, we discuss the possibilities for gridlock in parliamentary regimes and discuss the role of elite polarization in relation to this. We then use the Swedish case as an empirical example.

What is gridlock in parliamentary regimes?

Linz (1990) famously argues that parliamentary regimes provide a solution to gridlock, as governments can fall and new elections can be called. The most direct equivalent to presidential gridlock in parliamentary regimes is situations of high policy stability, often studied in a similar manner as in Krehbiel's (1998) work on US gridlock. From this perspective, when ideological agreement among governing partners is low, new policies are unlikely to be adopted (e.g. Tsebelis 2002). However, despite this similarity, in parliamentary regimes, high policy stability is usually not seen as analogous to "gridlock" in the same sense of the US literature because governments ultimately should fall if they do not represent the preferences of parliament. Nevertheless, we can observe effects similar to gridlock when public demands are not met, or crises not responded to by governments, which can for example result in a low "reform productivity" (see e.g. Angelova et al. 2017).

In parliamentary systems, more severe forms of gridlock are possible, with governments not being able to change policy, even when demands from within or outside government to implement reforms are present. One reason is that complex bargaining situations in parliament may result in longer bargaining duration and several unsuccessful bargaining rounds, which may result in significant periods of "caretaker" governments unable to implement any "real" policy reforms. This is often the case in Belgium and the Netherlands, where it on average takes about 100 days to form a government (see e.g. De Winter & Dumont 2008; Lindvall et al. 2017).

Whether and how such policy-making delays or paralysis might emerge depends on the institutional context. Some countries' investiture rules, for example, make it easier to solve complex bargaining situations in a swift manner. Negative parliamentary rules enable minority governments to form more easily, requiring only that a majority of Members of Parliament (MPs) do not vote against them (e.g. Bergman 1995). In such situations, gridlock may instead arise at the policy-making stage since minority cabinets have to bargain with other parties to get their policies through parliament.

In general, complex parliamentary situations, where governments form without stable legislative support, increase the likelihood that the government cannot get major policies through parliament. This could result in numerous government crises, with cabinets falling frequently, often due precisely to the inability to meet demands for policy change. A typical example of a country that has historically experienced such recurring government crises is Italy, where cabinets last little more than a year on average (e.g. Saalfeld 2008; Lindvall et al. 2017). As with bargaining delays, fre-

quent government turnover may also result in parliamentary gridlock, as governments are not likely to be able to implement their policy agenda if they hold office for very short periods of time.

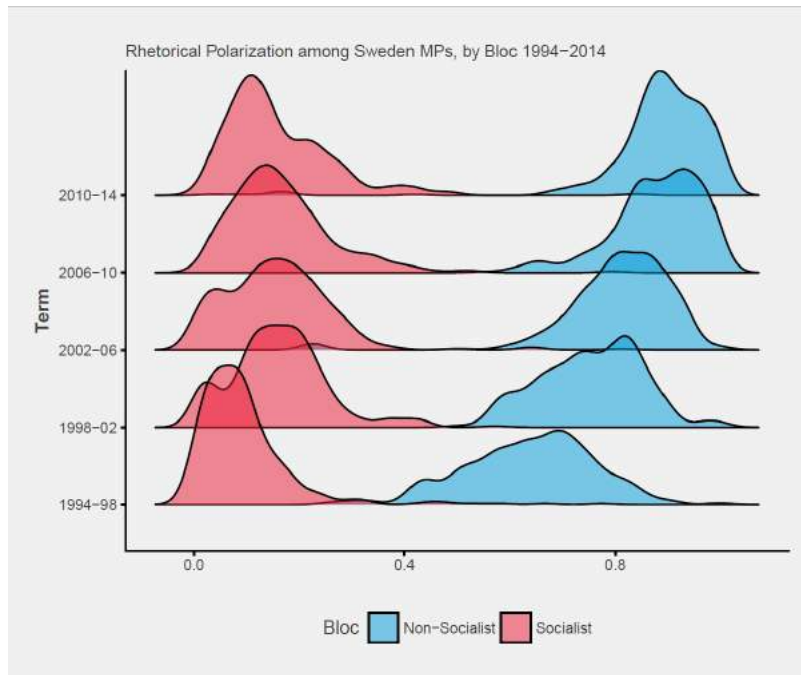
Underlying all forms of parliamentary gridlock – government policy disagreements, bargaining delays, and government fragility – is parties' willingness to cooperate. Thus, party polarization plays a central role in these phenomena, much as it does in the US. A high level of elite polarization naturally makes it more difficult to find government alternatives that have majority support in parliament. Hence, polarization may be the cause of longer bargaining duration and several failed bargaining rounds before a viable cabinet forms. Considering the "reform productivity" of governments, there may also be a direct effect of polarization on policy-making when the government only controls a minority of legislative seats. In this case, polarization makes it more difficult for the governing parties to reach agreements with opposition parties to gain their support in the legislature. Elite polarization can also influence cabinet survival through its effects on the ideological range of the cabinet itself (e.g. Warwick 1994). Ideologically "broad" coalitions, which may arise due to lacking alternatives, or the presence of "pariah" parties of the extreme right or left, are likely to have difficulties changing policy and face a higher risk of early termination (e.g. Saalfeld 2008).

The Swedish case: the effects of polarization in a parliamentary system

Sweden's recent party system experience provides an illustration of how polarization can impair the law-making process even when government formation itself is swift and cabinets are stable. Sweden's multiparty system has consisted mainly of seven parties: the Left party (V), the Social Democrats (S), the Greens (MP), the Liberals (L), the Agrarians (C), the conservative Moderate party (M), and the Christian Democrats (KD). In 2010, a right-wing populist party, the Sweden Democrats (SD), won parliamentary representation. Prior to the entry of the SD, the Riksdag had developed a highly bipolar pattern with two "blocs" competing for office, either the Social Democrats have formed governments with the support of one or more of the "socialist" parties (V, MP), or the "non-socialist" parties (C, L, KD, M), have formed coalition governments. The negative parliamentary rules have historically made the process of government formation short, and minority governments, often single-party ones, have been the norm over most of the post-war period (e.g. Bäck and Bergman 2016).

After the 2014 election, it only took 19 days for the Social Democrat Stefan Löfvén to form a minority government with the Greens, with the support of the Left party, even though the socialist bloc did not control a majority of seats. Hence, none of the signs of gridlock described above were present. However, just two months later, the government failed to get its budget through the Riksdag – instead the al-

Elite Polarization in the Swedish Riksdag, 1994-2014



Note: Estimates are scores of speech classification based on similarity to the MPs in socialist and non-socialist blocs; data from Baumann, Bäck and Carroll (2017). The parties in the socialist bloc are V, S, MP, and the parties in the non-socialist bloc are C, L, KD, M.

ternative budget of the Alliance obtained majority support through the backing of the Sweden Democrats. Not being willing to govern on the opposition budget, Prime Minister Löfvén announced that he would call for early elections. However, before early elections could be called, six of the mainstream parties reached an agreement, agreeing that a minority government formed by the largest bloc should be allowed to pass its budget (see e.g. Lindvall et al. 2017).

Even though the government did not actually fall, the mainstream parties had to reach an agreement for the minority government to continue to rule, suggesting that we were dealing with a situation of gridlock. This resulted from two different consequences of the polarization in the party system. First, the right-wing populist party SD had become an extremist force in parliament, at least in terms of their position on immigration policy. Second, an equally important factor was the high degree of polarization that had emerged between the two blocs, particularly due to the non-socialist bloc's more unified and strident anti-socialist posture. This increased polarization ultimately hindered the possibility for a majority to form constituting a "cross-bloc" or "grand" coalition.

To illustrate this context, we measure elite polarization making use of speech data from parliamentary debates. Following Peterson and Spirling (2017), we use machine learning classification to identify party differences (see also Goet 2017). This speech similarity corresponds to the general rhetorical positioning of the parties, and thus

captures an element of their ideological compatibility. In our recent research (Baumann, Bäck and Carroll 2017), we apply this approach to measure elite polarization in the Swedish Riksdag during five legislative periods (1994–2014), leading up to the setting just described. In the included figure, we present this measure of polarization in all debates in the Riksdag, focusing on the rhetorical separation between the two blocs, the socialist and non-socialist bloc. The decreasing overlap between MPs of the two blocs indicates that there was a steady growth in rhetorical separation between these parties. This reflects the inter-bloc polarization that seems to have increased over time, and with it, the difficulty in forming governments with cross-bloc support.

Discussion

While gridlock as traditionally defined appears to be a phenomenon mainly associated with presidentialism, here we have summarized the potential for policy delay – or even paralysis – in the context of parliamentary institutions. Much as effective law making under US presidential institutions depend on the potential for cooperation among elites, the interaction between party systems and institutions can undermine policy responsiveness in parliamentary systems as well. The nature of ideological disagreements – or conflict in the party system more generally – can prevent the formation of a stable government with the capacity to change

policy. Although this is apparent in instances of severe bargaining delays and rapid turnover, the lack of governing alternatives due to party polarization can create situations of gridlocked policy-making that are at once severe and stable.

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Gridlock in the Presence of Executive Decree Authority

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What does gridlock look like in the face of broad executive prerogatives? We think of gridlock as the situation that results from lack of consensus between the branches to move policy change forward. Put in a positive light, gridlock secures that policy change comes about only when the relevant actors, those empowered by voters to decide on questions of policy change, agree to it.

Largely a result of checks between the branches, gridlock equates to stability of the status quo. Naturally, in institutional contexts where inter-branch checks are scarce, gridlock is easier to overcome. Consensus, while desirable, is not necessary. In countries that allow laws to be made by executive decree, presidents can move the status quo without congressional agreement. In such contexts, if the president wishes to change policy, lack of congressional agreement may not lead to gridlock.

In *Checking Presidential Power: Executive Decrees and the Legislative Process in New Democracies* (forthcoming 2018), I explore the choice to enact policy by executive decree or congressional statute, and propose that where presidents are granted constitutional decree authority (Carey and Shugart 1998), the choice only exists to the extent that politicians value their decision rights sufficiently to stop executive encroachment. Gridlock, hence, exists only under those circumstances.

The book proposes that while in some countries politicians are able and willing to confront the executive in the face of encroachment, such is not always the case. As the extensive literature on presidential systems has shown, legislators and courts vary in their willingness to confront

presidents (Alemán and Tsebelis 2016, Carey and Shugart 1998, Helmke 2005, Helmke and Ríos Figueroa 2011, Jones 1996, Mainwaring and Shugart 1997, Morgenstern and Nacif 2006, Samuels 2002, Spiller and Tommasi 2009, among others).

Say there is demand for policy change, that is, there is a constituency that demands a given reform of current policy. For such change to take place, lawmakers would have to agree to it. The idea of gridlock suggests that the proposed policy would have to muster at least a majority, but perhaps a super-majority, to effectively become the new status quo (Krehbiel 1998). That is the case in separation of powers systems. Often, however, separation of powers is not as strong as the Founding Fathers planned it to be.

What conditions must be met for policies to change having gone through congress instead of changing merely by executive decree? What factors affect this choice? More than half of Latin America's presidential systems provide constitutional decree authority, and providing responses to these questions sheds light on the dynamics behind policy change in those countries. It also allows us to reflect on the consequences of expanding the president's legislative prerogatives in the United States, as Howell and Moe (2016) propose.

In the book I argue that the extent to which legislators will stop the president if she tries to encroach upon their legislative prerogatives, which ultimately affects the choice of legislative path is a function of three factors. First, the allocation of legislative prerogatives across the branches, second, the extent to which politicians value those prerogatives, and third, external actors' valuation of policy. This is to say that rules play an important role in explaining why legislatures are sometimes bypassed, but rules alone cannot explain levels of reliance on decrees. This caveat introduces the notion of institutional commitment, i.e., politicians' willingness to defend their decision rights from encroachment. External agents, who are vested in specific policies, place proposals on the table and push for them to prosper.

Importantly, the book highlights that the existence of rules imposing checks on executive behavior, without which the notion of gridlock lacks significance, is worth nothing if the actors in charge of imposing constraints on the executive do not act to do so. It outlines the mechanisms leading to politicians' willingness to check the executive by exercising and enforcing their own decision rights. Those mechanisms are associated to their expectations regarding how long they will remain in their posts and what benefits they derive from their tenure. Decision rights are worth as much as those in possession of those rights are willing to invest to enforce them, and this decision, in turn depends on forward-looking calculations: will they continue to be around to use their prerogatives in years to come?

This is to say that legislators who believe they will not remain in congress are also likely to take decision rights associated to their position lightly. If, instead, they value maintaining their posts, and they believe that they are likely to remain in congress for some time, the incentive will be

greater to enforce their decision rights. By doing so, they strengthen the institutions they embody, and endow them with added value. These are the conditions under which enforcement is more likely to occur. They reveal, in consequence, when gridlock is more likely.

The literature focusing on the United States sees gridlock as a symptom of the inability to approximate positions on policy. What I suggest here is that constitutional decree authority has the capacity to do away with gridlock even in the face of vast disagreement on policy. It has the capacity to render dissent trivial. Whether it does so depends on levels of institutional commitment.

Note that even weak Latin America congresses pass laws, and oftentimes they pass important ones. Once and again, the ever-powerful presidents portrayed in the literature are left to stand by while bills go through the congressional procedure for approval. Were it so easy, why not simply rule by decree? Why go through the hurdles of statutes in countries where decrees are so readily available? While Argentina, Brazil, Chile, Colombia, Ecuador, Nicaragua, and Peru have similar institutional arrangements, analysis of their level of reliance on decrees reveals stark differences. Each of the seven countries is endowed with constitutional decree authority, yet decrees are practically never the legislative instrument of choice in Chile, and they are used in varying levels in the rest of the countries.

I claim that varying levels of reliance on decree authority vary with levels of institutional commitment, and the empirical findings that I present in the book support this claim. I show variation along an Institutional Commitment Index, and find that reliance on decree authority is affected precisely in the way my theory predicts: higher levels of institutional commitment lead to lower reliance on decrees. By extension, we may expect more gridlock.

Regarding the United States, this would suggest that as long as legislators and Supreme Court justices continue to value their positions, and continue to limit the president in her efforts to legislate, constitutional decree authority may not do much in terms of allowing the president to enact her preferences unilaterally. Such is the case of Chile. Should levels of institutional commitment drop, however, it could turn into an entirely different story.

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Filibustering, Strategic Parties, and Gridlock

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How does my research (including joint research with Matthew Lebo) help explain legislative gridlock? Let me first provide a rough definition: by gridlock, I mean inaction on major policy proposals despite public support or great need for legislative action. It can be difficult to measure gridlock, but not difficult to cite examples of unmet expectations and seek an explanation. My research (again, some joint with Matthew Lebo) provides insight on the *institutional* and *organizational* sources of contemporary gridlock.

Filibustering: the Fourth Veto

The U.S. Constitution lays out a system with three veto players: the President, the House of Representatives, and the U.S. Senate, with each chamber presumably making decisions by majority vote.¹ The Constitution, of course, says nothing about political parties, which soon formed and promoted cooperation across the three institutions. A cohesive majority party—or one able to artificially induce cohesion—can reduce our legislative process to a single-veto system.

Filibustering is the *strategic use of delay in a legislative chamber*. My book, *Filibustering*, shows that over the course of Congressional history there has been organized, consequential filibustering in both chambers of Congress. In the late 19th century the House cycled from occasional

filibusters to permanent obstruction to massive reforms installing simple majority rule. My book traces the Senate's transition from occasional, public, high-effort filibusters in the 1950s to institutionalized supermajority bargaining in the present day. The driving factor in this transformation was the increasing value of time, both for senators as individuals and the Senate as a collective. As time became more valuable and scarce, the cost of a prolonged filibuster on the Senate floor increased so that senators would rather concede to the threat of a filibuster than force the threatening senator(s) to follow through on the threat.

In its current form, filibustering adds a fourth veto to our legislative process, and usually ensures that both major parties in the Senate wield a veto.² Unlike the other three vetoes, however, filibustering is an informal practice subject to reform by a simple majority of chamber. This endogenous veto has been sustained through strategic restraint (choosing not to filibuster when it will provoke reform) and majority acceptance of filibustering.

There are several reasons why majority party senators might defend the right to obstruct, but a critical one is that they often recognize the downside risk of being the median voter (and thus pivotal) when their party is trying to pass controversial legislation. We observed this in 2017 when senators voted on controversial bills on health care and tax reform using the budget reconciliation process. Republican senators had to vote for bills they publicly denounced or vote against bills they had promised to support.³ Historically, a pivotal number of majority party senators have realized that the combination of simple majority rule and party pressure is a recipe for bad policies and misrepresentation of their constituents.

Last, *Filibustering* provides evidence for a more nuanced understanding of how veto players relate to gridlock. Obviously, senators sometimes filibuster to block legislation, and these efforts can succeed. And, as one might suspect, senators also filibuster to force a majority to moderate its proposals. Critically, however, senators also filibuster to expand the Senate's agenda—both to ensure open debate on legislation, and to hold majority proposals hostage until they get a chance to vote on their own priorities. For example, Senate Democrats repeatedly filibustered to bring up campaign finance reform in the late 1990s, thereby raising the profile of the issue.

Strategic Partisanship

A second major work, joint with Matt Lebo, explains how legislative parties can contribute to gridlock.⁴ Our model starts with the observation that winning elections is the paramount goal of Congressional parties, *not* changing policy. Enacting laws may contribute to this goal, but it can also detract from it. Legislative party leaders may prefer to vote on “message” legislation that reinforces party brands and provides talking points without actually solving policy problems.

We do find that parties improve their electoral

prospects by winning legislative votes, but voters punish them—individually and collectively—for excessive partisanship. Both parties thus face a tradeoff between the positive benefits of winning votes and the negative costs of the party unity that helps them win. And it means that “winning” is a zero-sum game: one party’s electoral advantage through winning contested votes is the opposing party’s loss.

The result of this calculus is an arms race between the two parties, so the strength of one party is a function of both its own cohesion and the strength of the opposing party. The current House Republicans illustrate this nicely: they are internally divided on a range of major issues, but competing against a (seemingly) united Democratic party. Speaker Ryan ends up taking a central role trying to unite a fractured conference that cannot moderate its proposals or attract Democratic votes.

The practical implication is that one aspect of reducing gridlock is to increase the payoffs for enacting laws. As long as majority parties believe that legislating is more costly than posing, and minority parties pay minimal costs for blocking legislation rather than negotiating a bargain, members of Congress will find success more dangerous than failure.

Notes

1. Using the framework from George Tsebelis, *Veto Players*, Princeton University Press, 2002. See Gregory Koger, *Filibustering*, University of Chicago Press, 2010, 39-42 for a discussion of the U.S. Constitution and filibustering.
2. See also Keith Krehbiel, *Pivotal Politics*, University of Chicago Press, 1998. In *Agenda Setting in the U.S. Senate* (Cambridge University Press, 2011), Chris Den Hartog and Nathan Monroe highlight the advantages of the majority party in this dual-veto chamber. Some legislation is immune from Senate obstruction, and senators have recently lowered the cloture threshold to fifty votes for all nominations as well. See Molly Reynolds, *Exceptions to the Rule*, Brookings Institution Press, 2017.
3. On the endogeneity of Senate filibustering, see Gregory Koger and Sergio Campos, “The Conventional Option.” *Washington University Law Review*, July 2014, 91(4)867-909. On majority party opposition to majority rule, see Gregory Koger, “Cloture Reform and Party Government in the Senate, 1918 to 1925.” *Journal of Politics*, August 2006, 68(3):708-719; and Gregory Koger, “Filibustering and Majority Rule in the Senate: the Contest over Judicial Nominations, 2003-2005.” in *Why Not Parties?* Editors: Nathan Monroe, David Rohde, Jason Roberts. Chicago: University of Chicago Press, 2008, 159-177.
4. Koger, Gregory and Matthew J. Lebo. 2017. *Strategic Party Government: Why Winning Trumps Ideology*. University of Chicago Press.

Opting Out of Congress: Partisan Polarization and the Decline of Moderate Candidates

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The sharp rise in partisan polarization in the U.S. Congress has been one of the most prominent topics of academic debate for the past decade. The ideological gulf between the Republican and Democratic parties has widened in almost every election since the 1970s. Members of Congress are now first and foremost partisans who adhere to the party line, and the distance between the two parties is at a record high (McCarty, Poole, and Rosenthal 2006). The absence of moderates from congressional office today is particularly striking from a historical perspective, because just 40 years ago more than half of members of Congress were at the ideological center. The hollowing out of the political center has had a deleterious impact on the legislative process, and the lack of compromise and negotiation has impeded action on a variety of issues, including health care, immigration, and paid employment leave.

Polarization scholars have mostly focused on how changes in the electorate and changes in the institution have contributed to the hyperpartisanship in Congress. My new book, *Opting Out of Congress: Partisan Polarization and the Decline of Moderate Candidates*, approaches this question from a different angle and examines the types of individuals who run for Congress. The central argument is that ideological moderates are less likely to seek congressional office than those at the extremes because the benefits of legislative service are too low for them to do so. Just a few decades ago, liberal Republicans and conservative Democrats comprised half of the House chamber and they were influential voting blocs in their parties. But for moderates today, the value of congressional office has diminished as they have become more at odds with the rest of their party delegation. It is increasingly difficult for moderates to achieve their policy goals and advance within the party or chamber, and they have fewer like-minded colleagues to work and interact with in office. Although the political center has long been deemed a coveted position in the legislature, it is now a lonely and lowly place to be.

Candidate emergence has received only minimal attention in studies of polarization, but it is crucial for understanding the makeup of those who are ultimately elected. The decision to run influences the choices that are available to voters and determines who is eligible to win. My book introduces the concept of party fit to explain why moderates are not putting their hats into the ring. Party fit is the idea that ideological conformity with the party influences the value of running for and serving in political office. Legislators’ degree of party fit matters for their ability to shape the policy agenda, succeed within the chamber, and forge bonds with fellow members of their party. Although the reelection goal captures part of what members want, being a member

of Congress extends well beyond winning elections. Legislators are members of a party team who are expected to promote the party agenda and tear down the other side (Lee 2009). Party fit matters for whether candidates want to be on the team.

I draw on interviews with more than 20 former members of Congress to illustrate how serving in Congress provided fewer benefits and became less pleasant for centrists as the parties drifted apart. For one, their ability to influence policy outcomes has diminished. In the 1980s, moderates were, as one member noted, “oftentimes the difference on whether legislation would pass or fail.” But their bargaining position and policy impact waned as their numbers declined. Second, career ladders in Congress have become closed off to centrists. Obtaining a leadership position or even a desirable committee assignment became increasingly difficult for moderates. One moderate demoted to a less prestigious committee said, “[Party leaders] can’t kill you, but what they can do is indicate, well, you’re done.” Third, centrists have decried legislative service as “frustrating,” “unsatisfying” and “increasingly confrontational.” As one member said, “Every day going in and being the odd man out—it’s grueling, it’s exhausting; it’s corrosive.” In short, the congressional environment has become an increasingly hostile place for those in the middle.

The chapters explore two processes that shape the makeup of the congressional candidate pool: the decision to run for higher office among state legislators in the pipeline to Congress and the decision to retire from office among incumbents. I use Bonica’s (2014) CFscores to compare state legislators who did and did not run for Congress from 2000 to 2010, and moderate state legislators are much less likely to run for higher office than conservative Republicans and liberal Democrats. In open seats, the pathway through which most newly elected members enter, the probability that a conservative Republican state legislator such as House Speaker Paul Ryan (WI) runs for Congress is 20 times that of a moderate state legislator such as former Maine Senator Olympia Snowe. The probability that a liberal Democratic state legislator such as House Minority Leader Nancy Pelosi (CA) will run is 25 times that of a moderate state legislator such as former Blue Dog Democrat John Tanner (TN) who retired in 2010. In another chapter, I use Poole and Rosenthal’s (2007) DW-NOMINATE scores to compare retirement patterns across members, and I similarly show that moderate members of Congress are less likely to remain in office than their conservative Republican and liberal Democratic counterparts.

Surprisingly, moderates are even opting out of running in congressional districts where they would be especially likely to win. For example, we may think that a larger number of moderate Republicans would run in more liberal districts and a larger number of moderate Democrats would run in more conservative districts. Conversely, there may be fewer moderate Republicans and Democrats running in the most conservative and liberal districts, respectively. But it turns out that very few individuals like Olympia Snowe or John

Tanner are running for Congress, and it matters relatively little whether the district is more or less conservative, whether party activists are more or less conservative, or whether the seat is a toss-up.

The liberal Republicans and conservative Democrats of yesteryear who worked across the aisle on social and economic issues alike are opting out of congressional elections, and conservative Republicans and liberal Democrats have instead taken their place. The victories of a handful of moderate Democratic candidates in the 2018 primaries may slow the leftward shift of the party. But more generally, the entrance of ideologues into the candidate pool, particularly in open seat races where they are most likely to win, and the exit of moderates from the pool have exacerbated partisan polarization in Congress. If the only individuals who seek congressional office come from the ideological extremes, polarization will likely persist in the years ahead. At the very least, bridging the gap between the parties may require finding new ways to stem moderates’ lack of interest in running for and joining a polarized Congress.

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Chief Executives’ Statutory Policy-making and Gridlock

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In most contemporary democracies, chief executives play a prominent role in the lawmaking process. They sponsor

a significant proportion of bills and many have veto power. In addition, some chief executives have exclusive rights to introduce legislation on certain important issues and significant influence over the legislative agenda. Given their powers, some may expect chief executives to be seldom defeated in the legislative arena. In practice, however, chief executives experience numerous legislative defeats. What explains the variation in the ability of chief executives to pass their legislative agendas? What combination of institutional and partisan considerations determines whether legislators will support a chief executive's agenda?

Scholars of comparative politics have traditionally argued that chief executives require adequate partisan support in the legislature to govern. Many have claimed that the number of parties in government and the status of the government influence the lawmaking capacity of the executive. In addition, arrangements determining the distribution of power among the branches of government are usually regarded as structural factors that shape the policymakers' incentives and, in turn, affect statutory policymaking. George Tsebelis' work on veto players is a case in point (Tsebelis 2002). It spawned a plethora of studies on the capacity of different political systems to produce policy change. His central point was that the more veto players a system has and the greater the distance between them, the more difficult it is to change the status quo.

Many empirical studies, however, cannot explain why and when chief executives fail to successfully enact policy changes through statutes. One challenge has been the lack of a clear definition of legislative success. Students of executive-legislative relations use several measures and various units of analysis. A commonly used indicator is legislative output: the number of laws passed which originated with the chief executive. This measure captures the productivity of legislative bodies, and can illuminate, for instance, whether the number of landmark laws decreases or not under periods of divided government. However, as Sarah Binder (1999, p. 520) has noted, "gridlock is not the inverse of legislative output." Productivity measures without a denominator of potential enactments cannot inform us about the dynamics of gridlock.

Another frequently used measure calculates the percentage of executive bills out of all laws passed. This indicator speaks to the question of who initiates laws. It compares the productivity of the executive to the productivity of legislators (and in some instance other actors with the power to initiate bills). This measure can shed light on interesting aspects of executive-legislative dynamics, such as the capacity of congress vis-à-vis the president to produce major legislation. It does not, however, reveal anything regarding the ability of a chief executive to win approval for his or her legislative initiatives.

Some other measures are constructed using legislative roll-call votes. The party roll rate is a case in point. This indicator provides information about the ability of the government's party (and/or other parties) to control the legislative agenda; but it does not count the failure to pass a bill

that the government likes as a roll.

It is safe to assume that in most if not all cases, chief executives are not only concerned with whether their initiatives are considered by the legislature and voted upon, but also with whether the proposed legislation is enacted into law. Moreover, statutes are the definite measure of legislative output, whereas votes and positions on issues are merely means to an end of an uncertain consequence. Therefore, if the primary aim is to investigate how successful chief executives are in promoting their policy agendas in the legislature, it is most appropriate to use a different indicator; one that includes both a nominator and a denominator. One such indicator is the so-called "box score," which is calculated as the percentage of executive initiatives approved by the legislature and summarizes a chief executive's record of wins and losses. As such, it is analogous to a batting average (i.e. number of hits as a proportion of times at bat) in baseball. Despite some limitations, this indicator makes it possible to compare different chief executives and to assess their relative performance under varying circumstances.

Sebastián M. Saiegh (2011), in his book *Ruling by Statute*, relies on a box score as a measure of chief executives' legislative performance. The book includes observations from 52 countries in Europe, North and South America, Asia and the Middle East for the period between 1946 and 2008. Two findings from the book are worth mentioning. First, the approval rate of executive-initiated bills varies considerably across countries and across time within countries. Second, on average, three-quarters of chief executives' initiatives are approved. The data also reveal that chief executives' passage rates vary considerably across and within different constitutional structures. Prime ministers who lead single-party majority governments enjoy the highest average legislative passage rates (88 percent), followed by those who rule under minority coalitions (84 percent). Prime ministers who rule under a majority coalition are the least effective ones (with an average box score of 76 percent), followed by those leading single-party minority governments (with an average box score of 82 percent). With regards to presidential countries, single-party majority governments exhibit higher passage rates (an average of 70 percent) than do coalition majority (66 percent) and coalition minority (62 percent) administrations. Single-party minority presidents do not fare much worse than coalition governments. On average, 62 percent of single-party minority presidents' bills are approved by the legislature. As such, the empirical evidence suggests that things like "legislative impasse," "gridlock," or "stalemate" are rare events, even in the case of presidential countries with single-party minority governments.

Taking everything into account, one can conclude that while forms of government are important, there is still ample room for alternative explanations for the variation in legislative passage rates. Given the heterogeneity of presidential and parliamentary systems over important institutional dimensions, one should be more specific in trying to identify possible transmission channels between constitutional

structures and policy gridlock. One known argument is that, all else equal, centrally located chief executives should have greater influence over outcomes than those positioned further at the extremes. That is likely one reason why single-party minority governments are rather successful at getting their legislative proposals enacted into law. In addition, one should pay considerable attention to the potential far-reaching effects of small differences in institutional details.

Eduardo Alemán and George Tsebelis (2016), in their edited volume *Legislative Institutions and Lawmaking in Latin America*, note that presidents have been able to navigate the lack of a congressional majority without facing the perils of gridlock. They argue that this is partly the result of both, agenda setting prerogatives in the hands of the president and legislators' ability to amend presidential bills to reflect congressional preferences. The president's involvement in the lawmaking process varies considerably across countries. On the one hand, presidents in countries such as Chile and Brazil play an active role influencing the content of the congressional agenda. On the other hand, president in countries such as Mexico and Argentina are less directly involved. For instance, presidents in Chile, Brazil, Colombia, Peru, and Uruguay can use urgency motions to prioritize bills in the congressional calendar. Also important are the extensive veto powers that most Latin American presidents have, which allows them not only to reject a bill in its entirety (as the block or absolute veto in place in the United States) but also to present a redraft of the bill by amending it or introducing partial deletions. Alemán and Tsebelis note that Latin American presidents are more likely to use veto powers to construct modified versions of the bills than to reject them entirely. By utilizing their agenda setting prerogatives to push bills onto the congressional agenda, compel congressional action, and modify legislative proposals, executives can actively negotiate with congressional actors to see their programs enacted into law. While such bargaining most often results in some legislative gains for congressional actors, it also allows chief executives to avoid gridlock.

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When Half a Loaf Isn't Better Than No Loaf at All: Gridlock and Legislators' Rejection of Compromise

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Congress has failed to make even incremental progress on pressing problems in recent decades (Binder 2014) and many Americans are frustrated by the gridlock that stymies attempts to solve the problems facing this country (Newport and Saad 2016). This gridlock in the modern Congress and in state legislatures around the country is often blamed on partisan polarization (Binder 2014; McCarty et al. 2006; Mann and Ornstein 2012; Shor and McCarty 2011), which is certainly an important part of the story. As polarization has increased over the last several decades, it is harder to find proposals that move policy toward legislators of both parties, leading to gridlock. But even on issues where agreement is possible, legislators may reject compromise proposals that move policy only partway toward their preferred policy. If legislators often reject offers of "half a loaf," holding out for the "whole loaf" instead, this could be a significant contributor to legislative gridlock. In a 2013 Pew survey, for example, 36 percent of Americans thought that the main reason for inaction was that "a few members who refuse to compromise keep things from getting done" (Pew 2013). In an ongoing book project, our central claim is that *legislators exacerbate gridlock by rejecting half-loaf compromises out of fear that they will be punished in primary elections*.

To illustrate how the rejection of half-loaf offers can lead to gridlock, suppose that a legislature was considering increasing the tobacco tax from a rate of \$1 per pack to \$1.50 because most legislators preferred the higher tax rate. Suppose, however, that because it did not raise the tax enough, a representative who preferred a tax of \$2 decided to vote against the proposal. If enough legislators vote against the proposal even though it moves policy closer to what they would prefer, the legislature could fail to pass the compromise and end up maintaining the current policy even if a majority of legislators prefer a higher tax. This behavior would stand in contrast to the expectations of the spatial model with proximity voting, where legislators are expected to vote for policies that are nearer her ideal position than the status quo.

Yet, this is exactly what we see in an original survey of state legislators. We provided legislators with information about the gas tax in their state, and solicited what they would implement if given the opportunity as a legislator. Each legislator was then asked how they would vote on a compromise proposal to set the gas tax at a level halfway between the current policy and his or her most preferred policy. For instance, if a legislator from Arkansas, with a state tax of

22 cents per gallon, stated that she would choose to implement a state gas tax of 44 cents per gallon, the proposal would be 33 cents per gallon. The legislator was then asked, "Would you vote for this bill if it were introduced in your legislature?" Despite the clear prediction that each legislator should vote for the proposal, many of them said they would reject it. Surprisingly, 23 percent of state legislators said they would vote against the half-loaf compromise that would move the gas tax closer to their preferred outcome. Nearly a quarter of legislators rejected a proposal that would make them better off, even when they had been primed before providing their preferences to consider the preferences of their voters. This points to an overlooked driver of legislative gridlock that extends beyond partisan polarization.

Our manuscript delves into why legislators rejected the half-loaf offer. We tested hypotheses about fear of voter punishment, expectations of future power, whether the issue was framed as a moral imperative, and the partisanship of the bill sponsors (which is tied to credit-claiming for each party). Legislators' perceptions that voters punish them for compromising is a significant predictor of rejecting compromise, with legislators who believe their voters are very likely to punish compromise being 21 percentage points less likely to vote in favor of the compromise bill. This suggests that legislators' perceptions of their voters are an important, and under-studied, element of understanding legislative behavior.

Evidence from in-person surveys of state legislators at the National Conference of State Legislatures shows that this fear of voter punishment is centered on primary voters. Nearly 60 percent of state legislators believed that voters in their party's primary election would be somewhat or very likely to punish compromise, compared to only 25 percent who thought that general election voters would punish compromise. Consistent with this perspective, we find that members of Congress with more constituents who support the Tea Party, which opposes compromise and often threatens primary challenges, are more likely to reject compromises.

When we study voters, we find that the threat of punishment from compromise is rare but real. The threat is rare in that most voters – even most primary voters – reward, rather than punish, compromise. The threat is real because a subset of primary voters do punish for the actions that legislators take on specific bills. Because legislators do not always know what compromise bills voters want to kill, risk-averse legislators may reject compromise proposals at a higher rate than is necessary to win reelection. Primaries thus affect legislators' perceptions and behavior while in office and contribute to gridlock for reasons that go beyond voter ideology.

This research provides three important insights into legislative behavior, elections, and representation. First, legislators' rejection of compromises that give them part, but not all of what they want, can be a significant contributor to legislative gridlock. Second, legislators' perceptions of their constituents is an under-studied feature of the electoral

connection, but is one that is important to for understanding their behavior. Third, legislators' fear of punishment from the primary electorate leads many legislators to be responsive to a subset of the electorate, at the expense of representing the broader set of constituents who do favor compromise.

Future research should do more to understand why legislators support or oppose compromise. Doing so will help us understand legislators' behavior, while also finding solutions to pressing problems.

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Legislative Styles and Policy Productivity

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The seeming inability of Congress to “get things done” has been the topic of much attention from scholars, journalists, and the general public. Most often, this gridlock is attributed to the increasing partisan and ideological polarization in Congress, which is compounded by institutional factors such as bicameralism and divided government (Binder 2003).

Less focus has been given to the origins of policy investment and compromise at the level of individual legislators. However, there is reason to believe that MCs’ role orientations and the manner in which they approach their jobs shape in important ways how the institution functions in policymaking. To the extent that these orientations vary across time and across subunits of Congress (e.g., parties and committees), taking individual-level differences into account offers insight into the origins of congressional productivity.

In our recent book, *Legislative Style* (Bernhard and Sulkin 2018), we explored stylistic differences across members of Congress. Our conception of style is rooted in the fact that MCs vary in how they conceive of their roles as legislators, coming to Congress with differing career goals, electoral and institutional constraints, past experiences, role orientations, and personal inclinations. These factors all shape their allocation of time and effort in office, and, together, the decisions they make on a daily basis define their legislative styles.

Our analyses focused on the 1049 legislators who served in the 101st-110th Congresses (1989-2008). We proceeded by gathering data on MCs’ activities, categorizing these into indices that reflect components of legislative style, and using longitudinal model-based clustering techniques to uncover how these components group together. Our results revealed that MCs’ patterns of activity cluster into five stable and predictable styles—policy specialists (31% of observations), party soldiers (27%), district advocates (26%), party builders (12%), and ambitious entrepreneurs (4%). These groups are characterized as follows:

Policy Specialists

Representatives with focused agendas, generally targeting issues within the jurisdiction of their committee assignments, and who vote and cosponsor regularly with their parties. They do not engage in much speechmaking or other publicly visible activities, and they do not raise or redistribute much money, choosing instead to get things done behind the scenes.

Party Soldiers

Mostly junior MCs who are loyal backbenchers and members of the party team who can be counted on to toe the party line and participate in the legislative process, but who do not appear to be particularly invested in policy specialization or in fundraising activities that would help them rise through the hierarchy.

District Advocates

These legislators are not a part of the party fold (often crossing the aisle in their roll call voting and cosponsorship decisions), are not particularly legislatively active, and operate largely beneath the radar rather than seeking out visibility and attention. Instead, they devote their energy and resources to cultivating their districts.

Party Builders

MCs who are strong party loyalists, serve as its public face and its fundraising arm, and engage in heavy lifting legislatively.

Ambitious Entrepreneurs

Legislators who devote significant effort to public visibility and fundraising, but who have no compunction about going against their parties. However, they are not necessarily moderate; instead, some are part of idiosyncratic coalitions, steering their own individual course or trying to build reputations in the chamber and beyond to enable them to rise to positions of power.

Style and Legislative Productivity

How, then, do styles map on to legislative productivity? From the descriptions above, it would seem that in addition to the “mover and shaker” party builders (in our sample, leaders such as John Boehner, Eric Cantor, Nancy Pelosi, and Steny Hoyer), Congress requires policy specialists (e.g., well-known members such as Henry Waxman, Carolyn McCarthy, and Paul Ryan, as well as many who fly beneath the radar) to move things forward. In fact, this is precisely what we find.

When we compare policy specialists to their colleagues, we see that they have a significantly larger number of introduced bills progress through the legislative process. Moreover, their focus on legislating appears to reap rewards for them. For example, these MCs more often get their first-choice committee assignments, and early-career policy specialists tend to rise over time to committee leadership positions.

Individual-level differences in success for specialists also translate into aggregate variation in productivity. The number of specialists per Congress varies from 74 to 167 across the time period we examine, and our results

indicate that every additional specialist is associated with 2-3 additional “substantive” bills [using Volden and Wiseman’s (2014) definition] passed by the House. A similar pattern holds at the level of committees—for nine of the twenty standing committees we study, the proportion of specialists on the committee across time has a significant positive association with the volume of legislation referred there that gets action beyond committee and passes in the House. Equally important, for no committees is the proportion of specialists negatively associated with success. In general, then, the more specialists there are on a committee, the better it does at moving legislation. We hypothesize that this is most likely due to the focus these specialists have on issues of interest to them, resulting in “better” legislation moving forward, and, relatedly, deference from colleagues in response to their expertise and skill.

The Trade-Offs of Specialization

As a group, policy specialists probably come closest to Mayhew’s (1974) “hero of the Hill... the lonely gnome who passes up news conferences... in order to devote his time to legislative ‘homework’”(147), and to the archetypal House “work horse.” Thus it should be reassuring that such a sizeable proportion of MCs fall into this style. Close to one-third of our total observations are policy specialists, and 43% of the MCs we study were policy specialists in at least one of the congresses in the sample period.

On the other hand, if one values moderation, policy specialists do not generally provide that. They are good partisans, and more ideologically extreme than their peers (with the highest mean absolute value NOMINATE score of any of the styles), and, as a result, may have a difficult time compromising and working across the aisle. They also do not face much electoral pressure to adapt, as they have among the highest mean vote shares of the five styles (edged out just slightly by party builders). Therefore, the price of the policy entrepreneurship and legislative skill that specialists bring to the table may be polarized policy preferences and insulation from electoral pressure.

For example, Henry Waxman was a particularly effective lawmaker, but he was definitely not a moderate, with a NOMINATE score that places him in the top ten percent. Waxman achieved his legislative victories because of his tenacity and command of the policymaking process, not his advocacy of middle-of-the-road policies. Indeed, many of his signal accomplishments—the Affordable Care Act, the Children’s Health Insurance Program, the Ryan White Care Act, and efforts to combat climate change and enhance the powers of the Food and Drug Administration and the Environmental Protection Agency were decidedly left of center. Many congressional observers argue that the trade-off for getting “Waxmans” on both sides of the aisle is worth it, as these MCs have been the skills to break through gridlock and get policy made. It is clear, though, that specialists are driven to pursue their own agendas, and their preferences on the policies they care about sel-

dom approximate those of the median member of the House.

Conclusions

Our analyses of legislative style lead us to conclude that that, while institutional structures clearly matter when explaining gridlock and productivity, so do individuals. Congress functions best in this realm when there is a large cadre of MCs with interests in policymaking and the ability and willingness to devote themselves to the passage of legislation. At the same time, though, a Congress full of specialists is not a panacea, as these MCs are, at least in the modern era, defined in part by their relative ideological extremity. Understanding the relationships between institutional structures and legislators’ styles is therefore crucial in explaining the dynamics of gridlock and in proposing a path forward.

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Understanding Gridlock in the Congressional Budget and Appropriations Process

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If we consider legislative gridlock to be Congress’s inability to act, then we might judge the annual discretionary appropriations measures as one of the less gridlocked components of the legislative process. The House and Senate Appropriations Committees still regularly generate individual spending bills; between 2007 and 2017, the House panel has reported out an average of 10 of its 12 measures each year, while its Senate counterpart has averaged 11 of 12. While continuing resolutions that keep discretionary federal programs running after the start of a new fiscal year are

quite common, lengthy government shutdowns remain rare (Krause 2018).

Just because the appropriations process does not end in inaction every year, however, does not mean that fiscal policymaking is immune from gridlock. The annual budget resolution, which provides a framework for revenue and spending, has not fared as well as appropriations bills; since 2000, Congress has completed action on 11 resolutions and left eight unfinished. If we consider passing separate appropriations bills before the start of the fiscal the standard of effective action to which Congress should be held, the House and Senate have regularly failed to meet it. As Peter Hanson (2014) has shown, in the Senate, small and divided majorities in polarized chambers have come to rely heavily on omnibus bills to get their work done. In terms of timeliness, research by Jonathan Woon and Sarah Anderson (2012) highlights several factors that associated with delay in the appropriations process, including ideological division across institutions (between the president and congressional majorities) and within Congress itself (between the majority party's appropriators and the average member of the majority party in each chamber). The same kinds of institutional features that drive gridlock in the overall legislative process (Binder 2017), then, appear to afflict its fiscal work.

The role of gridlock in the budget and appropriations process extends beyond simply completing the steps called for in the Congressional Budget Act. In the contemporary Congress, members of Congress rely heavily on the budget and appropriations process as a way to address issues that would otherwise be plagued by gridlock. Take, for example, the use of budget reconciliation, an optional component of the budget process designed to make it easier for Congress to pass legislation that brings revenue, spending, and debt limit levels in line with the policies laid out in the yearly budget resolution by protecting certain bills from a filibuster in the Senate. Because they cannot be filibustered, reconciliation bills are an attractive vehicle for advancing majority party priorities; indeed, evidence suggests that reconciliation bills have been used consistently since the mid-1980s to make policy changes that should benefit the Senate majority party's electoral fortunes (Reynolds 2017).

In recent years, however, there is reason to believe that reconciliation has become even more important as a way to advance partisan priorities that might otherwise fall victim to gridlock in the presence of a sixty-vote threshold. Of the 25 reconciliation bills that passed the Senate between 1980 and 2017, roughly half (12) did so with fewer than sixty votes. But this dynamic—a reconciliation bill passing with fewer votes than would have been necessary to invoke cloture—has become more frequent. Since 2000, roughly three-quarters (seven of nine) of the reconciliation measures that passed the Senate received the support of less than three-fifths of the chamber (Reynolds 2018).

Congress's experience in the 115th Congress (2017-18) suggests that this reliance on reconciliation to move major partisan priorities is affecting deliberation on the budget resolution. The resolution is the required first step in the recon-

ciliation process; in order to take up a reconciliation bill, the House and Senate must have first approved a set of reconciliation instructions to particular standing committees as part of a budget resolution. In January 2017—more than three months after the start of the fiscal year—the House and Senate approved a “shell” budget resolution that was not meant to serve as an overall spending and revenue blueprint, but was explicitly meant to unlock Congress's ability to use reconciliation to repeal and replace the Affordable Care Act (McPherson 2017). Disagreement between the two chambers about what kind of reconciliation instructions to include in the fiscal year 2018 budget resolution, meanwhile, delayed its completion later in the year (Morgan 2017). This year, meanwhile, the recognition that the House and Senate are unlikely to agree on a reconciliation bill in an election year is one potential explanation for why neither chamber has moved aggressively on adopting a budget resolution (Krawzak 2018). Under this logic, there is no need to do the work of developing the blueprint if what is seen as one of the biggest reasons for doing so—unlocking reconciliation—is already off the table. Together, these three examples suggest that the use of reconciliation to get around gridlock elsewhere in the legislative process has consequences for Congress's ability to complete work on the budget resolution.

A second way in which overall gridlock affects the budget and appropriations process involves the attractiveness of must-pass spending bills as vehicles for other non-spending legislation. Like reconciliation, using appropriations measures to carry substantive standalone bills across the finish line is not a new phenomenon; Congress has been attaching non-spending measures to omnibus appropriations bills regularly since at least the mid-1980s (Hanson and Reynolds 2018). But to the extent that members of Congress see must-pass spending bills as their best chance to pursue other legislative priorities, it makes it harder to complete the underlying fiscal work. Take, for example, the short partial government shutdown in January 2018. While the fact that Congress's fiscal work was still unfinished in mid-January was partially due to ongoing relevant conflicts over overall spending levels, an unrelated gridlocked issue—immigration policy—also contributed to the shutdown. Even as such shutdowns remain rare, legislative stalemate clearly affects Congress's ability to complete its fiscal work.

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Gridlock, Compromise, and Representation

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We were both flattered to be asked to contribute to this newsletter’s discussion of gridlock in legislative politics. The study of gridlock, policy productivity, and legislative bodies’ ability to respond to real world problems is central to our understanding of legislative politics. A number of legislative scholars have made important contributions to this research agenda already (Binder 1999; Bowling and Ferguson 2001; Jones 2001; Kousser 2010). In general, their work suggests that gridlock is a result of the quantity of veto players in a decision making body and/or the divergence in their policy preferences (Krehbiel 1998). The evidence that this is a useful way to think about gridlock is rather strong (Chiou and Rothenberg 2003; Richman 2011; Gray and Jenkins 2017). We, of course, don’t take issue with this approach.

However, we do contend that there may also be a potential upside to veto points. In slowing down the legislative process, veto points provide opportunities for legislators to learn and, perhaps, even change their minds on issues from time to time. However, voters have strong negative reactions to this sort of behavior, and thus it pays (electorally) to avoid ever switching positions on a bill.

In our forthcoming book, *Indecision in American Legislatures*, we consider the slow speed of the legislative process as an opportunity for legislators to deliberate and learn about the policy implications of a bill, especially as they relate to the salience of the issue at hand for legislators’ key principals: party leaders and constituents (Carey 2007). Careful consideration of the implications of a proposal allows legislators to potentially update their beliefs about the causes and consequences of policy problems and solutions. Our empirical evidence from American state legislatures and the U.S. Congress suggests support for this claim. Legislators’ propensity to “waffle” on a bill—cosponsor it initially, then vote against it on the floor—increases in their principals’ ideological distance from one another. Importantly, we contend that this relationship appears because, due to veto points, there is ample time for legislators to consider their party leaders’ and constituents’ perspectives on the bill. In contrast, we find that giving legislators only short periods of time to change their minds leads them to update their positions on legislation for reasons other than representation or policy learning, such as political expediency.

Thus, from our perspective, the slow process induced by veto players provides legislators with an important opportunity for deliberation over policy proposals, which ultimately could produce better policy (Rogers 2001) and improve representation. While scholars and observers of legislative politics often bemoan a legislative process that is slow to respond to changes in public opinion or unexpected policy problems, we posit that a high number of veto players (often a necessary condition for gridlock) may also prevent many poorly thought out policy proposals from seeing a real chance at legislative success.

However, there is a catch. Our research also suggests that this sort of policy learning and updating of positions induced by veto points is robustly opposed by voters (see also Harbridge and Malhotra 2011). In a series of survey experiments, we find that most constituents generally want representatives who stake out fixed positions and do not change course. Signaling that legislators face different sources of pressure on their decision making does not make them much more forgiving of position changing. In other words, voters don’t want their legislators to slow down and think about the implications of their initial view on a bill. Our results indicate that indecisive behavior on the part of a legislator exerts an effect on voters’ evaluations that is comparable in magnitude to well-known predictors such as shared issue positions, gender, or race. Moreover, this aversion to waffling extends beyond our survey experiments to observational data. We find evidence of a negative association between legislative waffling and campaign fundraising success

as well as waffling and legislative success. Thus, willingness to compromise can actually be a real electoral liability.

Modern legislatures provide a supportive environment for uncompromising members who use veto points to stall the other side's progress. If voters were more willing to allow legislators to room to negotiate and compromise, we might see a reduction in the gridlock-inducing power of veto points. Unfortunately, this possibility seems unlikely in the current political environment, where ideological purists run for office at much higher rates than moderates (e.g., Thomsen 2017). If consistent, ideological legislators enjoy the most success, moderates' ability to carve out a niche for themselves is limited. Thus, a source of gridlock may come, in part, from the process of representation. Constituents' negative views toward waffling amplifies the role of veto points, ultimately reinforcing the stalemates that come from polarized parties.

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CURRENT EVENTS

Virginia Blues and Reds: The Virginia House of Delegates 2017 Election

Jesse Richman

Old Dominion University

An enduring irony in American politics is that winning the presidency is bad for the electoral fortunes of the winning party's state and national legislative caucuses in the ensuing midterm. I wonder sometimes whether in secret or unguarded moments legislative election campaign chairs do not wish for the defeat of their party's presidential nominee in order that they might be spared midterm losses. In line with history, the Republican Party in Virginia suffered a major loss on November 7th 2017. In the House of Delegates Republicans saw a two decade and 66-percent majority more-or-less evaporate, ultimately holding on to control of the chamber by the narrowest of threads – the literal luck of the draw in a tie-breaker.

At the top of the ticket, Republican Ed Gillespie lost by more than eight percent to Democrat Ralph Northam. Gillespie's loss widened by several points the margins at which Trump lost Virginia in 2016. The Republican House of Delegates losses were also larger than either side had thought at-all likely. In House of Delegates contests, Democrats had won around 44 percent of the statewide vote in recent elections. This time they won roughly 56 percent. Because of the way district lines are drawn, the increase did not translate into a Democratic majority, but it came close. This was a near-best-case outcome for Democrats. The results were a dramatic turn towards partisan parity in a chamber long dominated by a Republican majority.

Donald Trump seems to have shifted the electoral map in a way that persisted into the 2017 election in Virginia. Trump lost Virginia in 2016 as urban and suburban areas swung towards the Democratic Party. Rural and small city areas moved towards the Republicans. Those patterns if anything grew more pronounced in 2017. Trump has shifted American politics in important ways that are only beginning to be fully understood. His election polarized the electorate, particularly whites, along educational and class lines, with the less educated trending Republican, and those with higher education trending Democratic. In Virginia this realignment hurts Republicans more than in most places: the commonwealth has one of the highest levels of college attainment in the country.

Turnout was high, particularly on the Democratic side. In 2013, 43 percent of registered voters voted. In 2017, 47.6 percent did. Turnout as a percentage of the vote eligible population in 2017 was 43.4 percent, higher than at any time in at least the last forty years of gubernatorial elections. And turnout was particularly up for the Democratic slate. In 2013 McAuliffe won the governorship with only 1.07 million votes whereas Northam won 1.41 million votes. Trump-leaning areas of Virginia turned out (albeit not at the level of intensity they had for Trump) and the rural and mountain parts of the state voted more heavily for Republicans than they had in the last gubernatorial election. But the opposite pattern occurred in the more urban and metropolitan parts of the state, and at higher levels of intensity. Democrats capitalized upon these opportunities.

The Virginia House of Delegates contest presented a target rich environment for Democrats. Sixteen of 100 House of Delegates seats were held by Republican incumbents but carried by Clinton in 2016. These were natural targets, and the Virginia Democratic Party worked hard to recruit competitive candidates in many of these races, and brought significant money to bear. In key races Democratic challengers had financial parity with Republican incumbents. Republicans had many fewer targets to answer with – Democrats in Trump country – and they seem not to have made a comparable effort to take advantage of them.

Donald Trump was a problem for Republican candidates in Virginia. Trump was unpopular with the 2017 electorate, and in the exit poll many (51 percent) said they voted partly to send a message to the president, predominantly an anti-Trump message. Particularly for Republican candidates running in Clinton-leaning districts, this was a toxic combination: fourteen of the sixteen lost.

Still, chance and the oddities of the electoral process played a role, perhaps an outsized one. It was a crazy couple of post-election months, with chamber control in the balance. Many races were extremely close, and Democrats lost most of those contests. Four races were within the ½ percent margin between candidates necessary for a state-funded recount. In all four races, Democratic candidates were on the losing end. From there, things got a bit whacky.

The election administrator's prayer is said to be "Lord, let this election not be close." When elections are very close

one tends to uncover the kinds of errors in election administration that usually go un-noticed. This election revealed problems with Virginia's practice of allowing some state legislative district lines to split that most elemental bloc of the electoral system – the precinct. The largest problems arose when this was combined with administration errors. The 28th district encompasses parts of Stafford and Fredericksburg Virginia. In the certified vote totals Republican Bob Thomas led the 28th district by 82 votes. However, hundreds of voters were provided with the wrong ballot and voted in the wrong House of Delegates race as a result because there were problems with how the local boards of election assigned people to districts. At least 384 registered voters were assigned to the wrong district between the 28th, 88th, and 2nd districts. Of those, at least 147 voted in the wrong race. The suit asking for a re-vote in the 28th failed in early January with a judge characterizing these problems as "garden-variety irregularities" of a sort precedent steers the courts away from rectifying. Garden variety or not, let's hope that the lesson to avoid such unnecessary complexity is learned. Virginia isn't the only state that permits the practice of splitting precincts.

However, the ultimate election cliffhanger of 2017 was Democrat Shelly Simonds loss to Republican David Yancey in the 94th district. Multiple twists of fate or judgment had both candidates ahead at different points. It ended with a random drawing to determine the winner and thereby the House of Delegates majority. Heading into the recount, Yancey was ahead by ten votes out of more than twenty three thousand votes cast. But the recount put Simonds in the lead by one vote. If her victory had held, the House of Delegates would have been a tied chamber. However, Republicans appealed the decision not to count a ballot which had initially been ruled a double vote, arguing that Simonds name had been crossed out, and the voter had intended to vote for Yancey. When the election judges agreed, the revised vote totals triggered a tie breaker in which the candidate names were placed in film canisters and drawn from an urn to decide the victor. When Simonds decided not to request a second recount and conceded on January 10th, Republicans were assured of continued majority control in the House of Delegates.

There are some remarkable parallels between Virginia's November 2017 contests and the House of Representatives elections approaching in November 2018. In Virginia, winning all of the House of Delegates seats represented by Republican incumbents but won by Clinton would have allowed Democrats to tie the chamber. Nationally, there are 23 House of Representatives seats currently held by Republicans but won by Clinton. If Democrats won all 23 districts it would be just-enough to flip control.

In some ways the Virginia House of Delegates fight was a rehearsal of the electoral contest across the country in 2018, and the results suggest big midterm trouble is ahead for Republicans. The unpopularity of Donald Trump proved no mirage, and it had real consequences. Of course the popularity of the president could vary in unpredictable

ways. It might improve, or crater. But absent an implausibly huge improvement in Trump's ratings, the president will drag down Republican candidates. While Republicans did often win in Virginia when a district was sufficiently tilted in their favor, Republicans seeking election in swing states and districts appear in serious peril. The losses will likely be large.

This article is based on lectures Dr. Richman gave to the Norfolk VA League of Women Voters and the Beach Republican Women Voters.

DATASETS OF INTEREST

The Center for Effective Lawmaking: Offering New Data and Encouraging a Collective Research Agenda

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Why are some legislators more successful than others in advancing their agendas through the lawmaking process? Can legislative skill be cultivated, or is it an innate talent, or both? To what degree do constituents care about the relative lawmaking effectiveness of their elected representatives? These and other questions form the heart of the research agenda that we seek to advance through our efforts at the Center for Effective Lawmaking, which is a joint research center situated at Vanderbilt University and the Frank Batten School of Leadership and Public Policy at the University of Virginia. The mission of the Center is to advance the generation, communication, and use of new knowledge about the effectiveness of individual lawmakers and legislative institutions in Congress.

A first step in fulfilling this mission and engaging with the questions above is to establish a metric for a legislator's "effectiveness" in lawmaking. As explicated in our book, *Legislative Effectiveness in the United States Congress: the Lawmakers* (Volden and Wiseman 2014), we define legislative effectiveness as the "proven ability to advance a Representative's [or Senator's] agenda items through the legislative process and into law." We note that this definition of effectiveness has four key components. First, we are advancing a metric that considers the "proven ability" of legislators (either Representatives or Senators), rather than any

legislator's raw *potential* to be an effective lawmaker, *per se*. Second, we seek to identify those legislators who are successful in "advancing" legislation, rather than being successful at blocking or diluting the legislative proposals of others. Third, we are considering the legislator's "agenda items," rather than the agenda items of the legislator's political party, the president, or even the legislator's constituents, which may not be captured by the bills that she sponsors. Fourth and finally, we focus on movement "through the legislative process and into law." Hence, we are essentially arguing that effectiveness can be demonstrated at multiple stages of the lawmaking process, not simply in the final stage of a bill becoming law.

With this definition in hand, the next step in developing a measure of legislative effectiveness is to identify a series of indicators that provides information about such effectiveness. We rely on fifteen such indicators, five for each major stage of the legislative process across each of three levels of bill significance. More specifically, we first identify which legislator (either Representative or Senator) sponsored each public bill (either H.R. or S.) in each Congress from 1973-2016 (the 93rd-114th congresses), and what happened to those bills at each potential stage in the legislative process. Our specific indicators for the House are thus: the number of bills that each Representative sponsored (BILL); and the number of those bills that received any action in committee (AIC), or action beyond committee (ABC) in the House. For those bills that received any action beyond committee, we also identify how many of those bills subsequently passed the House (PASS), and how many became law (LAW). An analogous set of indicators is employed in the Senate to measure legislative progression for Senators' bills.

Of course, not all bills are of equal importance, and thus might not be equally indicative of a Representative's (or Senator's) overall lawmaking effectiveness. To account for such variation in bills, we categorize all bills as being either *commemorative/symbolic* (C), *substantive* (S), or *substantively significant* (SS), depending on the following protocol: A bill is deemed substantively significant if it was mentioned in an end-of-the-year write-up in the *Congressional Quarterly Almanac*.¹ A bill was deemed *commemorative/symbolic* if it satisfied any one of several criteria, such as providing for a renaming, commemoration, private relief of an individual, and the like.² Finally, all other bills, and any erstwhile "commemorative/symbolic" bills that were also the subject of a *CQ Almanac* write-up were classified as *substantive*.

After classifying each bill into one of these three categories, we calculated a Legislative Effectiveness Score (LES), for each Representative *i* in each Congress *t*, as indicated in the figure on the next page (with an analogous calculation being made for the Senate).³ In this calculation, the five large terms represent the Representative's fraction of bills (1) introduced, (2) receiving action in committee, (3) receiving action beyond committee, (4) passing the House, and (5) becoming law, relative to all *N* Representatives. Within each of these five terms, commemorative bills are

weighted by α , substantive bills by β , and substantively significant by γ .⁴ The overall weighting of $N/5$ normalizes the average LES to take a value of 1 in each Congress.

Much of our early scholarship on legislative effectiveness sought to introduce our metric, explore various aspects associated with its measurement validity, and explore how the LES related to different aspects of American legislative politics. In our book, for example, besides simply introducing the metric (Chapter 2), we explored the source of legislative effectiveness among majority party members (Chapter 3), and the relative effectiveness of African American, female, and southern Democratic Representatives (Chapter 4). We linked individual legislative effectiveness to the overall gridlock of the chamber across 19 different policy areas (Chapter 5), and we identified a collection of data-driven best practices that legislators might employ as they seek to advance their legislative agendas (Chapter 6). The analysis in the book drew on data about Representatives who served in the House during in the 93rd-110th Congress.

Since publishing the book, however, we have continued to update the House data, and expand our analysis to the U.S. Senate, such that we currently have Legislative Effectiveness Scores for all members of the U.S. House and Senate who served between 1973 and 2016. All of these scores can be found at the Center for Effective Lawmaking website: www.thelawmakers.org, where we define the metric and discuss its properties, present the scores in raw form, relative to benchmark expectations of similarly positioned lawmakers, and with a user-friendly interactive map (<http://www.thelawmakers.org/#/find>). There, we also describe an overview for the range of research activities that we are currently undertaking. In addition to making the legislative effectiveness scores widely-accessible, we have also collected all of the bill-level indicators for each bill in our data set, as well as all of the variables on legislator characteristics (e.g., gender, party status, committee chair, seniority, etc.) that were employed in *Legislative Effectiveness in the United States Congress*. We have continued to collect these variables as we have moved forward with the dataset and expanded our analysis to the Senate. Finally, building on the analysis in Chapter 5 of our book, we have drawn on the Congressional Bills Project data (e.g., Adler and Wilkerson 2013) so that we can calculate issue-specific legislative effectiveness scores for each member of the House and Senate in our dataset. Much of this data is already available for download on our website; and we aim to post the remainder of these data online later in this calendar year. We encourage interested scholars to contact us if they are interested in any aspect of our data. (We also intend to move our research activities into the American states, to code and calculate Legislative Effectiveness Scores for individual state legislators; and we will likewise circulate these data when they become available.)

Having introduced and explicated our metrics for lawmaking effectiveness, our research agenda has become more expansive with the formal launch of the Center for Effective Lawmaking in September 2017 on Capitol Hill. With the

support of the Madison Initiative of the Hewlett Foundation, the Democracy Fund, individual donors, and our home institutions, we have begun a post-doc program, are cultivating a network of faculty affiliates, have developed a working paper series, are hosting annual research conferences, and are launching a small grants competition.

We have developed three areas of focus for our research: the identification of the characteristics that would make an effective lawmaker, the cultivation of effective lawmakers and institutional structures within Congress, and the accountability of legislators for their lawmaking effectiveness. We are currently undertaking a wide range of research projects to engage with each of these areas of focus. For example, regarding identification, we are exploring the relationships between elite education attainment and lawmaking effectiveness (Volden, Wai, and Wiseman 2018); we are studying how effective lawmaking in state legislatures translates into effective lawmaking in Congress; and we have examined how selection processes and institutional positions of party leaders in Congress influence their lawmaking effectiveness (Wiseman 2017). Regarding cultivation, we have explored how women's issues progress through Congress (Volden, Wiseman, and Wittmer forthcoming), how staff experience contributes to the lawmaking effectiveness of House members (Crosson, Lorenz, Volden and Wiseman 2018), and the relationship between participation in ideological caucuses in Congress and legislative effectiveness (Clarke, Volden, and Wiseman 2018).

Finally, regarding accountability, we are studying the extent to which constituents are aware of (and care about) the lawmaking effectiveness of their (House) Representatives (Butler, Hughes, Volden, and Wiseman 2018); and we intend to explore how voters hold U.S. Senators accountable for their lawmaking effectiveness, as well as the relationships between effective lawmaking and campaign contributions. In these and many other research projects, we focus on legislative effectiveness in Congress to answer fundamental questions about lawmaking and representation in the United States. We encourage all scholars interested in these topics (or other related matters) to reach out to us, to use our data, and to develop and advance scholarly collaborations.

Notes

1. This coding protocol was altered slightly to calculate Legislative Effectiveness Scores for the 114th Congress. Please see <http://www.thelawmakers.org/#/method> for further details.

2. Based on a complete reading of all bill titles, the following terms from titles are used to label them commemorative/symbolic: commemoration, commemorate, for the private relief of, for the relief of, medal, mint coins, posthumous, public holiday, to designate, to encourage, to express the sense of Congress, to provide for correction of, to name, to redesignate, to remove any doubt, to rename, and retention of the name. We then individually read each bill title containing these search terms, and removed it from

LES Score Calculation

$$\begin{aligned}
 LES_{it} = & \left[\begin{aligned}
 & \left(\frac{\alpha BILL_{it}^C + \beta BILL_{it}^S + \gamma BILL_{it}^{SS}}{\alpha \sum_{j=1}^N BILL_{jt}^C + \beta \sum_{j=1}^N BILL_{jt}^S + \gamma \sum_{j=1}^N BILL_{jt}^{SS}} \right) \\
 & + \left(\frac{\alpha AIC_{it}^C + \beta AIC_{it}^S + \gamma AIC_{it}^{SS}}{\alpha \sum_{j=1}^N AIC_{jt}^C + \beta \sum_{j=1}^N AIC_{jt}^S + \gamma \sum_{j=1}^N AIC_{jt}^{SS}} \right) \\
 & + \left(\frac{\alpha ABC_{it}^C + \beta ABC_{it}^S + \gamma ABC_{it}^{SS}}{\alpha \sum_{j=1}^N ABC_{jt}^C + \beta \sum_{j=1}^N ABC_{jt}^S + \gamma \sum_{j=1}^N ABC_{jt}^{SS}} \right) \\
 & + \left(\frac{\alpha PASS_{it}^C + \beta PASS_{it}^S + \gamma PASS_{it}^{SS}}{\alpha \sum_{j=1}^N PASS_{jt}^C + \beta \sum_{j=1}^N PASS_{jt}^S + \gamma \sum_{j=1}^N PASS_{jt}^{SS}} \right) \\
 & + \left(\frac{\alpha LAW_{it}^C + \beta LAW_{it}^S + \gamma LAW_{it}^{SS}}{\alpha \sum_{j=1}^N LAW_{jt}^C + \beta \sum_{j=1}^N LAW_{jt}^S + \gamma \sum_{j=1}^N LAW_{jt}^{SS}} \right)
 \end{aligned} \right] \left[\frac{N}{5} \right],
 \end{aligned}$$

the commemorative/symbolic list if the bill also sought substantive policy changes.

3. Volden and Wiseman (2018) discuss the measurement strategies that were employed to calculate Legislative Effectiveness Scores for the U.S. Senate.

4. After thorough examination, we selected weights of $\alpha = 1$, $\beta = 5$, and $\gamma = 10$ for the final LES. That said, we make available all fifteen metrics, so future researchers can assign different weights or can focus their studies on particular categories of bills or stages of the lawmaking process.

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Example of Personal Explanation of Missed Vote

PERSONAL EXPLANATION

HON. BRAD SHERMAN

of california

in the house of representatives

Tuesday, June 12, 2018

Mr. SHERMAN. Mr. Speaker, I was unavoidably absent from the Chamber on Tuesday, June 5, 2018, and Wednesday, June 6, 2018. Had I been present, I would have voted yea on Roll Call votes 231, 232, 233, 236, 237, 238 and 239. I would have voted nay on Roll Call votes 234 and 235.

Congressional Data from ProPublica

Derek Willis
ProPublica

ProPublica, a non-profit journalism organization focused on accountability and stories with moral force, invites others to freely republish our stories. We've got an option for congressional scholars, too: use our legislative data.

In 2016, ProPublica acquired a database of congressional information from The New York Times, covering official legislative actions and other data about lawmakers. Since then, ProPublica has extended that data to include a number of unique collections and offers access to it via bulk downloads and an Application Programming Interface (API). While the primary audience for this data is other journalists and developers building websites and apps, political scientists are an important audience for us. ProPublica can be both a resource for data and a potential collaborator.

In addition to legislative data on lawmakers, bills and votes, ProPublica's collection included congressional press releases, "personal explanations" of missed votes and standardized versions of House of Representatives office expenditures. This data powers our Represent website and the Congress API. Building on the work of Justin Grimmer and others, we use the congressional statements to generate distinctive topics that lawmakers talk about and to determine which lawmakers use similar language in their press releases.

Our collection efforts around members and bills are based on the United States project, a collaborative effort among journalists and civic-minded volunteers to create a standard set of data. ProPublica currently maintains the bulk data downloads for bills dating back to 1973, with the current Congress updated daily. For lawmakers, we track their entrance and departure dates, along with various descriptive statistics about their activities: bills introduced and cosponsored, for example, and the percentage of votes that each member agrees with a majority of his or her party

(as a former Congressional Quarterly staffer, party unity scores are never far away).

Statements and Explanations

The foundation of legislative data are bills, votes and lawmakers. Legislative actions, from co-sponsorships to voting, are an excellent way to gain insights into what members of Congress are doing. To supplement these data, we've been building up a collection of things that lawmakers say to the public and to each other.

ProPublica's database of congressional press releases has broad but not comprehensive coverage of lawmakers since 2014, and in some cases goes back much further in time. It is automatically updated; several times a day, we check RSS feeds for members who have them and load any new items into our database. For sites that don't have RSS we resort to screen-scraping using the Statement Ruby gem, which is available to anyone via GitHub. This is an imperfect solution because members of the House and Senate change the structure of their websites more often than you might think, and we have to play catch up when they do. We do store the full text of the press releases where we can obtain it, but that isn't available via the API.

Personal explanations occur when lawmakers, primarily in the House of Representatives, insert statements into the Congressional Record describing one or more votes missed and how the absent member would have voted. A typical example is included here in the above figure.

ProPublica has collected more than 26,000 vote explanations since 2007, including relatively rare ones from senators, and continues to add new explanations to its database. To do this, we scrape each edition of the Congressional Record, looking for explanations made by representatives and senators (most are published in the "Extension of Remarks" section of the Record). Those explanations are then parsed to generate a record for each vote missed or otherwise explained.

These explanations provide a missing piece of information that could benefit researchers studying voting behavior, since lawmakers describe their voting intent and often provide details for why they missed votes. In addition to parsing the explanation text and mapping it to individual votes, ProPublica also assigns a category for the explanation, which usually describes the reason a lawmaker missed the vote. Not every lawmaker provides specific detail. Most of the explanations fall under the "no explanation provided" category, but there is a specific category that might prove interesting for political scientists: when lawmakers report that their vote wasn't the one they intended to cast.

Sunlight Foundation Projects

When the Sunlight Foundation closed its Sunlight Labs team in 2016, one of the projects that ProPublica inherited was Capitol Words, a search engine and API for the Congressional Record. We needed to do a complete rewrite of the codebase for this application and expect to have it up and running later in 2018. It will enable users to search for specific words or phrases and see their use over time and which lawmakers employ them.

In addition to Capitol Words, ProPublica took over two other data projects from the Sunlight Foundation: Politwoops and House office expenditures. Politwoops stores deleted tweets for a broad range of American elected officials and candidates, and data on these deletions is available by request, although the list of accounts covered changes over time. The office expenditure data comes from the *Statement of Disbursements of the House*, which is produced every quarter and includes itemized spending and totals for every House office. We have posted text data files for every quarter since Q3 2009 on the ProPublica website, and have added the unique "bioguide" identifier to lawmakers to enable easier analysis of the data.

Say Hello

You don't need to do anything to start using ProPublica's bulk data, and the Congress API is free to use after you sign up for an API key. We're interested in being a data provider for academic research and also in absorbing some of the fruits of academic efforts in our work, so if you have questions or want to let us know about data that you've collected that might be useful, email me at derek.willis@propublica.org.

Further Reading

Represent: <https://projects.propublica.org/represent/>

ProPublica Congress API: <https://projects.propublica.org/api-docs/congress-api/>

Chamber of Secrets: Teaching a Machine What Congress Cares About: <https://www.propublica.org/nerds/teaching-a->

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