PRESIDENTIAL SUCCESS IN A BICAMERAL LEGISLATURE

by

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(Under the Direction of Jamie Carson)

ABSTRACT

Recent scholarship on presidential success in the legislative arena articulates the president's success as a one shot game: the president takes a position and it either passes or fails one chamber of Congress. While such an avenue is beneficial for several reasons, I maintain that it is more beneficial to consider the president's success in terms of the final outcome. If the purpose of presidential activity is to effect policy, then considering whether or not a bill passed into law is essential. I test such an assumption on an original data set consisting of all bills the president took a position on from 1969 through 2010. I find that unlike individual roll call votes the president is more successful at negative agenda control on the bill level by keeping votes from passing both chambers. Additionally, the party makeup of the legislature has a significantly reduced effect on bills than much of the previous research asserts about individual roll calls.

INDEX WORDS: Presidential success, Legislative relations, Bicameralism

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Chapter 1

Introduction

"Above all, the U.S. Congress is a *bicameral* representative institution."

–Samuel Patterson, 2002

The controversial topic of stem cell research during President Bush's administration clearly articulates Samuel Patterson's (2002) statement, and illustrates the importance of bicameralism especially related to presidential success. The Stem Cell Research Act of 2007, S. 5, was a bill designed to change the world of medicine by allowing doctors to test all means of stem cells, adult and embryonic, to find cures for otherwise untreatable diseases. President Bush opposed the bill on moral and ethical grounds. As Senator John Kyl (R-AZ) stated in a speech on the Senate floor, "S. 5 contains provisions which are morally unacceptable to many people" and others, including President Bush, refused to uphold "stem cell research that destroys living embryos."[1] Despite fierce presidential and Republican opposition, the bill passed the Senate in April and the House in June paving the way for the President's veto. Senator Chris Dodd's (D-CT) comments post-veto display the Democratic Party's sentiment:

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[1] *Congressional Record*, June 20, 2007, p. S8022

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"He is standing against hope for thousands of Americans afflicted with deadly diseases. His veto of the Stem Cell Research Enhancement Act is a grave moral error."[2]

When considering a bill such as the Stem Cell Research Act, does it make sense theoretically to assess presidential success on every individual vote that took place, but ignore the final outcome? In the presidential success literature to date, the roll call votes in the House and Senate are considered failures for President Bush on the issue of stem cell research since the measure managed to pass both chambers. However, Senator Dodd's statements make it clear that the President's veto squelched the subject, and an unanimous consent agreement in the Senate passed to hold the veto message at the desk and not attempt an override. For all intents and purposes, the president won this round even though the roll call record states otherwise.[3]

Furthermore, the bill President Bush actually favored, S. 30, passed the Senate on the same day in June of 2007 as the controversial S. 5 bill. S. 30, commonly called the "HOPE Act," included nearly all of the same stem cell research initiatives, but excluded the "embryo-destructive research," Senator John Kyl explained.[4] Despite Representative Roscoe Bartlett's (R-MD) urgings to take up the bill in the House of Representatives under the consideration that the President will "happily sign it,"[5] agenda control by the then Democratic majority sent the bill to committee from which it never re-surfaced. Traditional analyses argue that the vote in the Senate was, in fact, a success for President Bush even though the bill itself was indefinitely held up in committee.

Presidential success in the legislative arena has ultimately been modeled in an analogous fashion to the above example: as a one shot game. If the President takes a position on an issue, does that position pass the House or the Senate? While the previous question is an

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[2] *Congressional Record*, June 20, 2007, p. S8021

[3] A similar incident occurred on stem cell research in the 109th Congress only two years earlier with H.R. 810, which passed both chambers, but suffered a defeat when the House was unable to pass the law over President Bush's veto.

[4] *Congressional Record*, June 20, 2007, p. S8022

[5] *Congressional Record*, June 25, 2007, p. H7065

important one to consider, it fails to address the core construct of Congress as a bicameral legislature. Examining success in this vein excludes an essential aspect of what success actually means for the president. Including only one step in the process to get the president's position enacted is equivalent to counting President Bush's success at keeping stem cell legislation with embryonic research from passing as a legislative failure and attributing his failure at passing the HOPE Act as a success.

A more poignant question inquires as to whether or not a bill actually passed into law. Assessing presidential success in such a manner incorporates a bicameral, policy-oriented outlook on traditional success measures. Congressional and presidential policy-making are essential to a system of democratic government since their joint efforts "shape outcomes that affect all of us" (Polsby 1976). Determining the final outcome of the bill provides a more illustrative view of congressional action. Thus, it is intuitive to match final passage votes that the President took a position on between the House and the Senate to more accurately assess success. How does the president's success change when looking at whether or not bills he favors pass?

The thesis proceeds as follows: in the next section, I provide a review of the extant literature relating to presidential-congressional relations and legislative success. Then, I separate my theoretical discussion into two sections: the individual perspective and the bicameral perspective. The individual perspective focuses on the way that traditional research was conducted on presidential success. The bill-level analysis delineates the bicameral perspective to determine how accounting for the final outcome in the legislative process changes presidential success. I frame my models within the context of the literature, give the theoretical basis for the analysis, and state the hypotheses. A brief discussion of the two datasets, individual roll call and bill level, follow the theory section. After the information about the data, I employ several descriptive tables and figures to assess presidential success in each model. Next, I describe my dependent and independent variables for both the individual and bill level analyses as well as the statistical method of implementation. Then, I present the

results of the logistic regressions from each model of presidential legislative success and draw conclusions from the empirical tests. Before concluding the thesis, I provide an assessment of the theoretical premises, a discussion of the limitations of the research, and new directions for future research on the subject.

Chapter 2

Literature Review

2.1 Presidential-Congressional Relations

In modern times, the president's presence is felt throughout all aspects of the government. Commonly tauted as the leader of his party, the president seeks to guarantee fulfillment of plans he set forth upon entrance to the White House. However, the president has not always been such an ubiquitous and powerful figure in the legislative arena. In fact, his exact role was highly debated at the Constitutional Convention in the summer of 1787. Settling on a sole chief executive was controversial enough for individuals who had just recently overthrown a monarch. The idea of placing anymore power in the president's hands than was necessary, to ensure a system of checks and balances, could have thwarted ratification.

From the beginning, the Framers set forth limited powers for the president. Many feared if given too much power, the president would become tyrannical like the British Empire they had just successfully revolted against. When the Founders convened in Philadelphia to write the Constitution, they offered four items regarding the president's relations with Congress. These are set forth in Article II:

1. To inform Congress from time to time on the State of the Union.

2. To recommend necessary and expedient legislation.

3. To summon Congress into special session and adjourn it if the two houses cannot agree on adjournment.

4. And to exercise a qualified veto.

None of those four main legislative duties refer to the president playing an active role in policy creation, yet presidents began to do just that.

"For the first 100 years, presidents recommended measures, took positions, and occasionally even drafted bills, but they did not formulate domestic policy on a regular basis" (Edwards and Wayne 1985). A shining example of this exact attitude on policy creation is George Washington. He understood what he considered to be the limitations of the president's position, and inevitably acted with a rather narrow Constitutional focus. He only offered three proposals to Congress in his two terms: a militia, a standing regular army, and a temporary commission to negotiate with Indians (Wayne 1978). Congress accepted all requests without question. After Washington, position-taking by the president saw a drastic increase in activism for foreign and later domestic policy. And while the Constitution allows the president to recommend legislation, it does not require that lawmakers afford the measures any "special consideration...or any consideration at all" (Beckmann and Kumar 2011). Escalation in position-taking by the president coupled with congressional inaction lead presidential success to no longer be absolute. How then has the president's role in government progressed to that of a policy maker? And ultimately, how successful is he in the role he created?

Presidential Policy Creation

From the president's humble origins, the office grew into a nucleus of power and influence. The executive exercises extra-constitutional powers when dealing with the legislature as his involvement in Congress was not Constitutionally mandated (Edwards 1989). The broadening of the executive began when Thomas Jefferson succeeded to the White House in 1801. Jefferson's distinction as the head of the newly formed Democratic-Republican Party

superseded the precedent Washington set with his minimalistic approach to the presidency. Due to Jefferson's connections within the party mainframe, he secured unparalleled influence within Congress (Wayne 1978). Before modern times, many post-Jeffersonian presidents were involved in foreign affairs, but few were active in the domestic arena.

The tables turned for the role of the president in the 1930s, when Franklin D. Roosevelt used his position to enact New Deal programs, which brought broad sweeping domestic changes through Congress. His distinct style of presidential leadership established a new tradition for how the president not only could, but *should* act regarding policy creation. The presidency was now seen as the institution most capable of providing policy leadership (Leloup and Shull 1999). Following in Roosevelt's footsteps, Truman further sought to define presidential "legislative intent" as a pervasive feature of the political system (Wayne 1978; Polsby 1976). Truman used the three messages he addressed to Congress every year — the State of the Union, budget message, and economic report — to his advantage by placing his policy on the forefront of the agenda.

Two of the most prominent aspects of the president's responsibilities are formulating policy and working to get these policies enacted into law. Lyndon Johnson summed it up plainly when he said, "There is only one way for a president to work with congress, and that is continuously, incessantly, and without interruption" (Edwards and Wayne 1985; O'Brien 1974). The institutionalization of the presidency in the 1970s crystallized this regard for Congress (Ragsdale and Theis 1997). President Richard Nixon expanded and reorganized the various levels of administrations that worked for the executive office. He centralized the Office of Management and Budget (OMB) and the White House Office (WHO) to better utilize the departments for policy demands. For all intents and purposes, he created a machine to assist the president in the messy business of dealing with Congress.

Strategic Position-Taking

While the expansion of the executive office aided in the president's management of his policy agenda, the process to achieve these goals became no less taxing. In fact, "one of the president's most difficult and frustrating tasks is trying to persuade congress to support his policies" (Edwards and Wayne 1985). The growth of the presidency coincided with a drastic increase in the congressional workload and boom in television news networks. Both caused the president to be more systematic about policy formulation. First, the media spotlights policy requests the president sends to Congress making the public more aware of his agenda. Second, Congress's ever expanding number of bills to address ensures that the president works hand in hand with members to keep the focus on his goals. Foley and Owens (1996) described the president's relationship with Congress as follows:

> "In order to win votes in Congress, a president must inform legislators of the specific details of his proposals, make clear what the likely effects of legislation are, relate them to existing policies, provide House members and Senators with good reasons why they should support him, and participate actively in negotiations with Congress to build winning coalitions."

A central aspect to facilitating passage of the president's policy initiatives is making Congress aware of the president's position. A working definition of position-taking is, "the expression of a particular preference on bills facing a congressional roll call vote" (Shull and Shaw 2004). Position-taking has never been a frivolous act by the president as the demands of taking a position have certain costs, such as staff to research the bill and a certain commitment to track and lobby the legislation. Thus, position-taking by the president occurs strategically with the knowledge that they have to expend resources to gain passage (Marshall and Prins 2007). Since a president only has a certain amount of political capital to exert throughout his term, he focuses on certain issues above others. Inevitably, the president wishes to succeed as often as he can on votes in which he strategically takes a position.

2.2 What is Presidential Success?

What exactly constitutes presidential success? The basis for presidential success takes many forms in the literature to date. Bert Rockman (1984) defines four areas of presidential success: legislative success, retrospective reputation provided by experts, public approval provided by mass surveys, and the management of decisions that successfully solve crises and problems. Since Richard Neustadt's (1960) book on presidential power focused primarily on the president's influence within Congress, research in political science is interested in the president's success, because "it is associated with influence" (Bond and Fleisher 1990). And influence can easily be recognized in connection with the president's legislative successes while dealing with Congress.

Legislative success on policy acts as a key metric for the executive branch, and much variation exists between presidents. One reason for such differences comes from what Bond and Fleisher (1990) coin the "legislative imperative." The Constitution ensures that presidents will recommend policy and seek out the necessary votes from Congress to see it through to law. Yet, the two branches are separate with the president playing no role in the legislative decision save the option of an executive veto. Thus, he has no guarantee of success on any of the policies he supports. The president is left in a precarious position where the public expects him to execute policy, but he is, to a degree, at the mercy of Congress.

Succeeding on a policy position he favors signals that the president can "win." A collective summary of these victories, the amount of legislation that the president states a favorable position on that also passes Congress, is one way to assess presidential legislative success (Bond and Fleisher 1990). However, Bond and Fleisher argue that legislative success is by nature a subjective matter, because historical interpretations of success may not necessarily coincide with quantitative evaluations from researchers. For instance, President Carter was successful at getting a large number of measures he agreed with passed through Congress. President Reagan, on the other hand, suffered many losses at the hands of the Democratic majorities in the House. However, history clearly portrays these presidents in opposing

lights. One reason for such a discrepancy is the overall importance of the legislation the two presidents supported. A president who successfully gets a large number of inconsequential bills passed, like Carter, may appear more successful than a president who passes a few extremely important pieces of legislation, like Reagan. Though we would hardly say that the first president is more successful than the second.

Much literature focuses on the causes of legislative success and when the president will be most apt to find victory for his proposals. Nelson Polsby's (1976) view on what could cause the president to succeed follows:

> "The extent to which a President succeeds with Congress...may hinge on simple good fortune in the makeup of the House and Senate — or even of certain key committees of Congress. Or it may depend on the sorts of things he asks them to do and the aid he receives from outside events in convincing them of the need for action."

His summary highlights well-documented factors that play an instrumental role in presidential success. In fact, many systematic characteristics exist that affect outcomes in the legislative arena. Influences on presidential and congressional relations are multi-faceted and form a complex web of inter-related attributes. The most prominent can be broken into three categories. First, success is structured by presidential resources such as party makeup, presidential popularity, and term in office. Second, president-centered characteristics, leadership and bargaining skills and ideology, contribute to legislative victories. Finally, consequences from environmental factors including major crises, economic performance, divided government, and polarization shape success.

Presidential Resources

As Foley and Owens (1996) state, much of the president's eventual success or failure depends on "party arithmetic." A large base of co-partisans in the House and Senate boosts the president's ability to succeed on bills (Prins and Shull 2006; Lockerbie, Borrelli, and Hedger 1998; Shull 1991; Bond and Fleisher 1990). If the president enters office with more

members of the same party, he will hypothetically need to expend less political capital and less energy to get proposals passed. Thus, *who* is in Congress at the time a bill comes up for a vote is nearly as essential to passage as what is on the agenda.

Overall, Bond and Fleisher's (1990) analysis establishes a framework for incorporating party makeup into subsequent studies. They assess party makeup's effect on presidential success by dividing up the members of Congress (MCs) into four groups: president's base, opposition base, cross-pressured base, and cross-pressured opposition. As expected, presidents perform better when their base mobilizes and the opposition does not coalesce against the policy. Cross-pressured members, like independents in an election, join the president or the opposition depending on party demands and the issue at hand. However, cross-pressured MCs switching between parties decreased considerably with the rise of polarization in Congress (Fleisher and Bond 1996). Additional research has found that party makeup has a significant effect on presidential-congressional relations and the eventual success of the president (Lebo and O'Geen 2011; Prins and Shull 2006; Lockerbie, Borrelli, and Hedger 1998; Shull 1991).

Popularity is another noteworthy resource the president harnesses to get legislation passed. Presidential leverage with legislation is derived in part from election results and presidential approval. MCs constantly preoccupy themselves with reelection because they want keep their jobs each election cycle (Fenno 1978; Mayhew 1974). Many congressmen, especially freshman MCs, come into office on the coattails of a popular president, and feel an obligation to pass the president's agenda (Lockerbie, Borrelli, and Hedger 1998). If the president comes in with an electoral mandate or is especially popular with the public, supporting the president's position on legislation can result in wins for MCs electorally (Lebo and O'Geen 2011; Foley and Owens 1996; Cohen 1982).

Previous literature diverged on the relevance of including a measure of presidential approval in success models (Lebo and O'Geen 2011, Bond, Fleisher, and Wood 2003, Canes-Wrone and de Marchi 2002, Lockerbie, Borrelli, and Hedger 1998, Rivers and Rose 1985).

Congressional perceptions of the president's public prestige, after all, may not directly coincide with the president's job performance, and should not constitute an accurate measure of congressional opinion at the time (Bond, Fleisher, and Wood 2003). Yet, the intuitive nature of presidential approval's effect on congressional output led scholars to reassess the validity of this claim. While congress may view the president's prestige differently, presidential and congressional approval move in tandem (Lebo 2007). "Representatives *actual* levels of support for the president are the single greatest predictor of their *perceived* levels of presidential support, and that perceived levels of presidential support interacts powerfully with citizen presidential approval to shape attitudes toward congressional incumbents" (Gronke, Koch, and Wilson 2003). Thus, the president's popularity not only shapes decisions to strategically take positions to avoid losses in approval, it influences congressional behavior to act in accordance with the popularity of the president (Marshall and Prins 2007). However, Canes-Wrone and de Marchi (2002) condition that popularity influences decisions primarily when the issue is both sufficiently salient and complex.

A final presidential resource is term in office. The "honeymoon" period, commonly reported as the president's first year in office, is when the president typically enjoys a "period of greater legislative success" (Canes-Wrone and de Marchi 2002; Brace and Hinckley 1991). During the honeymoon, the president's approval remains high resulting in an increase in passage of the president's program (Rivers and Rose 1985). The president's term in office cycles beginning with high approval followed by a general decline throughout the term. Then if the president is elected to a second term, he enters office with a smaller popularity bump and exits almost exclusively, with the exception of President Clinton, with a serious downward trend in both approval and legislative success (Marshall and Prins 2007; Barrett and Esbaugh-Soha 2007; Shull 1991).

President-Centered Characteristics

Richard Neustadt (1960) sparked the initial interest in research on presidential power configuring the president as a major player in modern politics through the use of persuasion and influence. While recent research cites unilateral powers as a means for the president to gain "power without persuasion" (Howell 2003, 2005; Moe and Howell 1999), a great deal of interest continues to circulate regarding the president as an actor within the legislative arena. Bargaining strategies between the president and Congress take on many forms. Presidential position-taking is one such phase of the bargaining game. Since presidents do not take positions on all legislation, the decision to state a position for or against legislation is a strategic choice (Marshall and Prins 2007). Cameron (2000) discusses another bargaining chip: the use of the veto. A president can compel Congress to comply with his policies by threatening to veto legislation. Kernell (1997) looks at the president's ability to "go public" as an alternative means of bargaining. Using the public and media as leverage, the president seeks to draw attention to salient legislation and use his advantage with the media to sway MCs decisions.

When to use each bargaining strategy and how often characterizes the president's leadership skill, a central component in judging the president's strength. Individual presidents have certain qualities outside of the above stated bargaining chips that identify them as especially charismatic in the role. Research uses presidential indicator variables to account for individual variation as each president has a unique personality and leadership style they bring to the White House (Canes-Wrone and de Marchi 2002). How successful an individual president is at procuring passage of the legislation he favors is just one such measure of leadership skills in Congress (Prins and Shull 2006; Bond and Fleisher 1996, 1990).

The ideology of the president and MCs, while closely linked to party ties, have a sizable effect on the president's ability to succeed in office. Presidents may hold ideological preferences outside of the party's mainstream (Foley and Owens 1996). While the underlying basis for ideological attitudes may be derived from shared values, ideology itself can cross

party lines (Bond and Fleisher 1990). Fleisher and Bond (1996) found that a wider ideological distance between the president and the majority leader drives down the president's success even holding divided government, the preference structure of the House, and the size and cohesion of the president's party constant (Marshall and Prins 2007). Wide ideological distances account for the common discrepancy in success rates between Presidents Johnson and Kennedy, "Lyndon Johnson's conservatism relative to his predecessor John Kennedy brought him closer to the Democratic Majority Leader Carl Albert and increased Johnson's predicted level of success by 3 percent relative to Kennedy's" (Lebo and O'Geen 2011). Similarly, minority Presidents Reagan and Bush lost more when the House divided on the basis of ideology (Fleisher and Bond 1996).

Environmental Factors

Four environmental factors affect presidential-congressional relations in the legislative arena: crises, economy, divided government, and polarization. Louis Koenig (1965) noted a well-documented trend: Congress follows the president's policy guidelines with consistency only in crisis. War and natural disasters create a sense of unrest among the public. Though the literature is divided over the magnitude of a rally around the flag effect, research notes how the public flocks to the president during these periods allowing him to pass more legislation through Congress (Baker and Oneal 2001). The informational advantage that the president enjoys facilitates his success in crises. For instance, after 9/11 President George W. Bush pushed through the Patriot Act along with a slew of other foreign policy and national security related measures. Under normal circumstances he would have been unable to pass many of these items. In conjunction with crises, economic indicators such as unemployment and inflation impact the success of a president at passing his legislation through congress by keeping the support of the people around him (Prins and Shull 2006; Brace and Hinckley 1992). As expected, presidents who enter office in times of good economic performance are more successful at passing their program through Congress.

Divided versus unified government is another important environmental factor. Bond and Fleisher (1990) repeatedly note that majority presidents perform better under unified government. They draw this conclusion along similar lines of party makeup. If the president's party is in control of both chambers of Congress, then the majority party should have an easier time passing legislation (Marshall and Prins 2007). Opposition control not only weakens the president's link to Congress, but during times of polarization, it stifles compromise and debate between the branches (Fleisher and Bond 1996). Subsequently, polarization increases the tendency for members to vote along party lines, which affects the president's ability to pass legislation under divided government.

2.3 Dynamics of Measuring Success

After reviewing the factors that influence presidential-congressional relations, the next cumbersome step in evaluating success relates to measurement issues. How exactly should researchers measure the president's success in the legislative arena, when the concept of "success" is described as a subjective evaluation of the content, complexity, and importance of the votes on which the president wins and loses (Bond and Fleisher 1990)? The answer depends on what exactly the individual intends to answer. If the question relates to presidential success on promoting his own program, a separate measure would be used than if the interest related to the "frequency with which various types of legislators support presidential positions" (Lockerbie, Borrelli and Hedger 1998). The first question could be addressed through the use of a "box-score," and the second utilizes some variation of a "support score" or "success rate."

The box-score indicates "the percentage of presidential proposals approved by Congress," and functions as a perfectly reasonable measure of programmatic success for the president (Bond and Fleisher 1990). Use of the measure was quite commonplace thanks to its widespread availability through *Congressional Quarterly* (CQ) between 1957 and 1974

(River and Rose 1985; Shull 1983; Cohen 1982). The box-score has several key advantages such as the ability to analyze policy important to the president and evaluate the issue from introduction to final passage. However, the extensive use of the measure also pinpointed several jarring limitations (Bond and Fleisher 1990; Edwards 1985). Severe validity issues were reported as differences in tabulation and the subjective quality of what constituted a presidential legislative request damaged its reliability. Due to these troubling concerns, CQ dropped box-scores in 1975.

Afterwards, researchers began implementing "support scores," or what Ragsdale (1998) calls congruence, in place of the box-score (Prins and Shull 2006; Bond and Fleisher 1990). A support score specifies the president's overall rate of success at getting legislation he approves of passed through Congress, and "preventing *un*wanted legislation from passing" (Lockerbie, Borrelli, and Hedger 1998). Inclusion of roll call votes related to presidential proposals and congressional programs relieves the subjective problems from the box-score measure, because recorded roll calls employ individual public positions by both the president and MCs. The new measure no longer quantifies the president's success at facilitating passage of his own agenda, but rather represents "legislative agreement" between the two branches (Prins and Shull 2006).

Though support scores are the most common measure of success, several concerns still need to be addressed. A main challenge for gauging congruence is what type of roll call votes to include as the base measure. George C. Edwards III (1989, 1985) is one of the first to tackle this consideration by assessing four different stratification methods: overall, non-unanimous, single-vote, and key vote support. He finds that non-unanimous votes, where 80 percent or fewer of the members vote in agreement, and single-vote support scores, no more than one roll call on a single issue, are nearly identical, and to preserve as many votes as possible researchers should use the non-unanimous measure. Also, key votes, a number of salient pieces of legislation as determined by CQ each year, are only more useful than non-unanimous support scores if the researcher is particularly interested in important

legislation. For instance, Bond and Fleisher (1990) limit their data to include key votes to avoid distorting measurements of presidential success with less important issues. Since then much of the research uses the non-unanimous or conflictual measure to assess success (Lebo and O'Geen 2011; Prins and Shull 2006; Bond, Fleisher, and Wood 2003; Lockerbie, Borrelli, and Hedger 1998).

Roll calls then are the clearest way to judge the president's success, because they literally show whether a president won or lost on each vote. However, the type of roll call data utilized varied between individual and aggregate measures. The difference in the two levels of aggregation depended on the type of control factors researchers incorporated. Congress-centered characteristics such as party composition, size of the president's party, and divided government were analyzed through the use of yearly aggregate roll call data (Lebo and O'Geen 2011; Bond, Fleisher, and Wood 2003; Lockerbie, Borrelli and Hedger 1998; Shull 1991). Others felt that aggregated data reduced the amount of variability within individual vote level data, and made "inferences about the causes of behavior of individual members of Congress toward the president tenuous" (Edwards 1980). Thus, the data are commonly disaggregated to each roll call vote to track more individualistic differences for presidential decisions and congressional response (Marshall and Prins 2007; Prins and Shull 2006; Bond and Fleisher 1996, 1990; Edwards 1985).

2.4   The Senate

Historically, a large part of the scholarly research focuses primarily on the House of Representatives (Lebo and O'Geen 2011; Marshall and Prins 2007; Prins and Shull 2006; Fleisher and Bond 1996; Edwards 1980). Several analyses look at the Senate using aggregate level data that masks variability between congresses and limits the ability to compare across chambers (Bond, Fleisher, and Wood 2003; Lockerbie, Borrelli, and Hedger 1998). If the House and the Senate are compared, little attention is given to the varying dynamics between

the chambers. Such differences could alter the composition of presidential success in the Senate. The House committee system, supermajority votes, increased length of tenure, larger constituencies, and the role of the vice president in the Senate all contribute to these differences.

Lockerbie, Borrelli, and Hedger's (1998) article is one of the few that directly addresses the differences between what affects presidential success in the House and Senate. The authors look at the Senate's greater expertise with foreign affairs, the role of the president's popularity on legislators who are more insulated from the public, and lesser procedural control. Though they maintain that "it is useful to speculate how the different 'rules of the game' might affect the outcomes," their analysis reveals very little about what affects Senate behavior (1998, 160). In fact, they conclude by giving into the claim that "the Senate for various reasons is a less predictable legislative environment than the House" (1998, 169).

While some literature focused on the Senate as an entity in and of itself, none have looked at the Senate in conjunction with the House. Each chamber is assessed on its own, and the characteristics that account for presidential success in each chamber are identified. A further assessment of presidential success should focus on the final outcome of the bill. A bicameral approach to success gives a full examination of the bills progression through Congress and posits a more complete explanation for presidential success. The subsequent chapter sets the theoretical groundwork for this bicameral focal point.

Chapter 3

Theory

After assessing the vast amount of literature that focuses on presidential-congressional relations and the president's success within Congress, it is important to consider where to go from here. Much research already shows that the president is quite successful at getting his position passed through Congress and offers a list of factors directly impacting his success. While this literature established a baseline to measure success, it fails to sufficiently account for the bicameral nature of the American legislature. The question researchers traditionally ask is how successful is the president in the House or the Senate? I contend that a further question could be formulated from this discussion. How successful is the president at passing his position into law? What effect does the inclusion of a bicameral focus have on presidential success? With such emphasis on passing the president's program through each individual chamber, it is worthwhile to assess his success when considering bill passage as well.

Several reasons are clear as to why studying the president's success through a bicameral focus is an important next step in the literature. First, if the ultimate goal for a president is to impact policy, then examining only one chamber or the other fails to capture the eventual outcome of the bill to know whether or not it becomes policy. If a bill does come up for a vote, Congress offers no guarantee that the House and Senate will pass the same measure without changes or significant compromise in conference. Only once the bill passes the two

chambers and the president signs it into law does legislation have the force of law. As expected, many pieces of legislation never cross this threshold. Thus, stopping the process of examination at the chamber level misses the last, and arguably most important, step in the process. Failing to account for bill passage or failure removes policy implications as only collective action from the upper and lower chamber ensure a bill is enacted into law. The idea here is that if policy is what really matters in the legislative process, then researchers need to look at what becomes law, not just what passes one chamber.

Second, in a bicameral setting, all votes are not created equal. The president takes a position on various types of votes in the House and Senate including anything from final passage to procedural motions to amendments. Since each individual roll call vote influences the bill's eventual outcome, the traditional focus on House and Senate votes makes sense if the researcher cares about the president's influence as the bill progresses in Congress. However, it makes little sense if they are interested in the bill's eventual output. As previously stated, researchers debated how to objectively weight the importance of legislation, and agreed on the use of non-unanimous votes or some other measure of saliency such as "key" votes (Bond and Fleisher 1990; Edwards 1980). Another way to address a concern about weighting is to consider bills that had a final passage vote on the legislation and has a chance to become law.

Third, previous literature removes the fundamental process by which presidents can be successful: policy creation. A bicameral approach asserts that the two chambers work together, and gives a clear assessment of congressional action rather than halting the process before enactment. Taking into account how both chambers work together to create laws should only bolster the basic understanding of presidential success in the legislature.

Individual Perspective

Though presidential success from an individual perspective fails to account for whether or not the bill ultimately becomes law, the research topic is valid for several reasons. One, each

individual roll call vote represents a part of the legislative process. The president's success can be measured on every single vote that takes place giving a rolling account throughout the president's term. Two, solely looking at the final stage removes important variance relating to amendment activity that the president might be particularly interested. Third, a vote level analysis includes nominations, treaties, concurrent resolutions, and other votes that either never come up for a final passage vote or do not carry the weight of law. The president takes positions on these votes some of which are even salient legislative concerns. Such considerations motivate one more look at the individual perspective before continuing on to a bill level analysis.

As previously stated, many studies demonstrate that presidents encounter varying levels of presidential success within each chamber. Due to different institutional characteristics between the House and the Senate, expectations about the chambers differ slightly. In general, scholars note that the Senate is less predictable than the House (Lockerbie, Borrelli, and Hedger 1998). Thus, presidential success should change depending on the chamber, and several hypotheses address both chambers.

A look at the type of position a president can take on a roll call vote shows that the president either favors a vote, taking a positive position, or opposes a vote, taking a negative position. Depending on the type of position, the president's success varies. The president favors or opposes a vote for several reasons. First, he favors the bill and is working with Congress in order to further passage of his program. Second, the president will favor a bill when he knows it is likely to pass the chamber. Third, the president opposes bills when it goes directly against his program, and he believes parrying with Congress will keep it from passing. Also, the president will, on occasion, take negative positions in a strategic fashion for position-taking purposes or ceremonial type measures.

Thus, the type of position a president takes matters. Depending on whether or not the president takes more positive or negative positions, he may be more or less successful. Votes in the House of Representatives are very structured, and majority leaders will typically not

bring up a vote they anticipate losing. Thus, taking a positive position on a vote that comes up in the House may help the president become more successful. However, supermajority votes in the Senate may decrease the president's probability of success since these votes are held to a higher threshold for the president to obtain success. Also, a decentralized organizational structure will further reduce presidential effectiveness in the Senate.

> *H1: The president will be more successful at getting a positive position through Congress than a negative one. More of his success comes from passing votes than failing votes. In the Senate, the president will be less successful at passing votes than in the House.*

One presidential resource influencing presidential success is party makeup. Many scholars noted that party makeup noticeably affects how successful a president is in office (Lebo and O'Geen 2011; Prins and Shull 2006; Bond and Fleisher 1990). In fact, when the majority party and the president work together, Bond and Fleisher (1990) find that the president is much more successful. During times of unified government between the president and one chamber, the president is expected to perform better than when the chamber opposes him. The majority party in the House of Representatives, in particular, has great control over the inner workings of the chamber. The Senate's majority party plays a decreased role in the chamber, since they are not subjected to as many institutional rules as the House and filibusters limit the majority's ability to sway action.

> *H2: Presidential success increases when the president and the majority party of one chamber are under unified control. Nevertheless, this result will be less pronounced in the Senate due to a decreased capacity for majority control.*

Another factor influencing presidential success on individual roll call votes is overall job performance by the president. Though highly debated in the literature, presidential approval impacting success instinctively makes sense. If a president has high approval, the public favors his policies, positions, and presidential style of leadership more than they disapprove of it. Congress must respond to their constituency demands, especially regarding

major legislation, if they wish to get reelected. Thus, MCs are more likely to work with a president with higher approval ratings unless their constituency resides on the complete opposite ideological spectrum. Since MCs are risk-averse, they will do what it takes to keep the people who reelect them happy. Generally, presidents find themselves with higher approval during an economic boom and their honeymoon phase in office. In particular, economic conditions are a central environmental factor linked to presidential success. The public judges the success of presidential performance based on pocket book voting where they retrospectively consider their economic fortunes and judge the president based on that analysis (Fiorina 1978). Thus, when the president pushes for legislation with high approval and/or good economic conditions, congress is more apt to respond to those demands, because re-election incentives may hinge on their cooperation.

> *H3: Presidential success increases during higher levels of job approval. In contrast, an unpopular president will see a decrease in presidential success.*

> *H4: During better economic times, the president will have increased success.*

Bicameral Perspective

Why A Bill Level Measure?

A poignant concern to accurately account for presidential success is to look beyond roll call votes. The following research proceeds with an analysis of success from a bicameral, policy-oriented perspective. Historically presidential success is modeled as a one shot game where the president takes a position on an issue and he either fails or succeeds on that particular vote. Such an approach does not do justice to the intricacies of what goes into creating public policy. Models of presidential success that solely consider individual votes have one glaring limitation, and that limitation is the basis for this analysis. Since researchers model success as one shot in either chamber, they may incorrectly count a success or failure for the president, biasing their results. Three examples should point out this concern in the traditional system of calculating presidential success.

For the first example imagine a case where the president takes a position in favor of a certain bill that eventually passes the House. In this case, the example would be considered a success for the president increasing his overall success rate. However, the Senate never votes on the issue, which neither increases nor decreases the president's success. Even though no vote was taken in the Senate, the president still took a position on a policy, which should result in a failure for the president. Since a roll call vote was not taken, the vote has no net effect. Further, the supposed "success" in the House is improperly classified considering the vote never took place in the Senate, and the bill never became law.

Imagine the same scenario as above where the bill passes the House as the president wanted. The bill also passes the Senate on final passage, but with an amendment sending the bill into conference. Since no agreement can be made between the legislators, and the bill dies in conference. The first two votes are considered successes for the president despite the fact that the conference report never came up for a vote, and the bill was never officially enacted. Thus, the president is recorded as having two successes bolstering his overall success rate when, in fact, he failed at final passage.

The last example picks up where the second scenario left off except that the president takes a position against the legislation. The bill passed both chambers, went to conference, passed conference reports in both chambers and is sent to the president for signing. However, the president, who clearly disapproved of the policy in the first place, vetoes the legislation, and the veto is sustained. All four of the final passage votes are considered a failure for the president whereas only the sustained veto vote is counted as a success for the president. That is saying he only succeeded on 1 out of 5 votes on the exact same issue, even though the bill eventually failed.

A bill level analysis of success accounts for the inherent problems highlighted above by assessing the entire cycle of a bill through congress. Previous literature considers presidential success as a snapshot; capturing one frame in time and judging the entire event based on one photo. Instead of stopping at one stage in the process, a bill level analysis allows the

researcher to assess overall presidential success through to the final outcome. A further look at the possible ways that the president can succeed and fail in the legislature is necessary to continue.

[INSERT FIGURE 1 HERE – How the President Succeeds and Fails]

Figure 1 illustrates the pathways in which a president can win and lose on final passage roll call votes. The model begins with the president choosing to take a positive or negative position on the bill. As stated earlier, a positive position is when the president takes a "yea" position and wants the bill to get passed. A negative position is when the president states a "nay" position intending for the bill to fail. Since a bill can only get passed into law if it passes both chambers, my model includes two chances for congressional action once the president takes a position.[1]

Following the path in which the president takes a positive position, the first chamber can either pass or fail the bill. When it reaches the second chamber, they have three options: pass, fail or kill. In this model, a bill is "killed" if the second chamber never takes up the issue for a roll call vote. Thus, if the president wants the bill to pass, only one pathway to success exists for him and where as he can encounter three pathways to failure. However, if the president takes a negative position, he can essentially win in multiple ways. If the bill fails when it is first voted on, then this is a win for the president. Other ways for the president to win are if the bill fails to pass or is killed in the other chamber. Finally, the president has one last option in the event the bill passes both chambers. He can veto the legislation and if the veto is sustained (as it is in the vast majority of cases), then he succeeds. Considering the model in Figure 1, I detail the following hypothesis:

> H5: The president will be more likely to get a negative position passed rather than a positive position on bills. He will be more successful at failing bills than passing bills. The president is successful at negative agenda control on the bill level.

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[1]The model is just a simplified diagram of presidential success pathways. The bill can still go through conference where it has the possibility of failing as well. These considerations are included in the data section that follows.

What Shapes Success on Bills?

Now that a bill level measure is accounted for, what actually shapes bill level success? As with the individual perspective, I argue that party makeup has an effect on presidential success. Party makeup from a bill level perspective requires a slightly different theoretical basis. Party makeup in both chambers matters now rather than just one or the other. The president could be in the minority of one chamber and the majority of the other. To be successful, the president must work with both chambers and compromise must occur. Without compromise, the minority party has more incentive to counter the majority party, because they are receiving no concessions for their platforms. Thus, individual party makeup matters less, because compromise between the parties is more transparent.

Further, such compromise necessary for bill passage is found less often under unified government. The majority in both chambers generally act without consideration for the minority party. While this scenario might work well in one chamber, it is unlikely that the majority would have a filibuster-proof majority. Thus, the minority party works harder to obstruct legislation when they have no voice. During divided government, compromise can be attained when they are attempting to pass legislation. But a president who disagrees with legislation has a greater likelihood of halting legislation within a chamber if he has the majority.

> *H6: The president is more successful on bills when in the majority party. Notwith-standing, the party makeup in Senate will have an increased effect due to filibus-tering.*

> *H7: Divided government has a positive effect on presidential success on bill pas-sage, because it facilitates compromise between the chamber for bill passage and halts bill passage when compromise is not possible.*

Another environmental concern that affects presidential success is polarization. Polarization on individual votes was shown to have a negative effect on party coalitions working together and presidential success (Bond, Fleisher, and Wood 1996). On the bill level, the same problem should occur. Not only does polarization make intra-chamber party coalitions

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unable to work together, it makes inter-chamber discourse even more difficult. Attempting to get even minor pieces of legislation passed through congress basically incites an uproar when polarization of both the elites and the mass public increases. The House, Senate, and the president find it more difficult to work together to create policy, compromise on substantive subjects that were once easily maneuvered, and really even speak to each other civilly. Without compromise, bills are less likely to become law, and polarization decreases the likelihood that comprise ensues.

> *H8: As the amount of polarization in each chamber increases, the likelihood of the president getting his position passed decreases.*

Chapter 4

Data

Considering the hypotheses listed above, I will spend the remainder of the thesis assessing data on presidential success. I consider the time period 1969 through 2010, which begins with the institutionalization of the presidency up through the present (Ragsdale and Theis 1997). The first section of this chapter details the two data sets and the process of collecting the bill-level data used in this analysis. Then, I turn to an examination of an assortment of descriptive statistics from both data sets. The primary focus is to assess presidential success trends in both possible outcomes — individual vote and bill level. Strengths and weaknesses regarding both units of analysis are revealed along with an overall feel for the use of both data sets. After a look at the descriptive statistics, I proceed with empirical tests of my hypotheses. Conclusions regarding presidential success are drawn from logit models of individual roll calls in the House of Representatives and the Senate, and a bill level analysis.

I consider my theories through two data sets. The majority of the first dataset was generated by David Rohde (2011) of Duke University through Political Institutions and Public Choice (PIPC). The data include all roll call votes for the 91st to the 111th Congresses (1969-2010) for both the House and the Senate. I subset my analyses to only include conflictual roll call votes on which the president took a position, which corresponds to the majority of the literature (Edwards 1980). Conflictual votes are non-unanimous votes where fewer

than 80 percent of the members voted in favor of the bill. Less salient legislation or procedural votes are typically included in non-unanimous votes and their removal assists in dealing with problems of equally weighting all votes (Bond and Fleisher 1990, Edwards 1984). However, I include votes where 80 percent or more of the members voted against the president's position as this is typically cited as reason for much controversy. I employ individual roll calls rather than an aggregate measure to highlight the importance of president-centered variables in the model and further assess presidential decisions and congressional response.

For the second model, I constructed an original data set of bills receiving a final passage vote from the 91st to the 111th Congress. The data include all bills in which the president took a position on final passage in both the House and the Senate. Any votes other than final passage in which the president took a position were excluded from this study to remove ambiguity from the data. Some cases exist where the president took a position against an amendment, but actually favored the bill. Including those votes would result in an unclear interpretation of bill level presidential success, since the president's opinion on the bill remains the same and only inclusion of the amendment changes his opinion. Ultimately, only final passage votes were included to include a uniform measure of the president's position.

Once the dataset was constructed, I manually cross-checked each bill against a pre-existing public law database to determine if the measure became law. Each bill number was selected from the final passage votes, and given a public law number, if applicable. Even though multiple votes on final passage took place, I counted each bill only once and made a count of how many votes took place in the House and Senate. Depending on whether the president took a positive or negative position, I assigned him a success or failure based on whether or not the bill's outcome coincided with the president's position. If the president took a positive position and the bill was enacted into law, this was a success for the president. A positive position that was not enacted into law was considered a failure and vice versa for negative positions. If the president switched his position on final passage, then I coded the

later vote as to whether or not it was a success or failure.[1]

To verify an accurate measure of the bill-level data, I checked several bills against the congressional database of roll call votes.[2] For instance, several cases occurred where the president took a negative position and the bill passed both chambers, yet was never enacted into public law. In the majority of these cases, the president vetoed the legislation and if an override attempt was made, it was sustained. I included a measure of saliency for the legislation by including Congressional Quarterly's (annual) key votes. A bill is coded as key if any vote that took place on the bill was considered important by CQ. Even if the vote was not a final passage vote, the bill was considered key. Arguably if an amendment or some other vote was considered to be important the entire bill would be considered an important piece of legislation. A bill level measure further illustrates an important dynamic of the president's success in the legislative arena by considering how both chambers work together to create policy.

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[1]Switched votes only occurred 7 times out 1747 bills from 1969–2010. They occurred once in the 100th, 101st, 102nd, and 105th Congresses and 3 times in the 110th. The switched vote resulted in a success for the president in all but one of the cases.

[2]See Thomas online http://thomas.loc.gov/home/rollcallvotes.html

Chapter 5

Descriptives Statistics

5.1 Individual Vote Perspective

The first data set generated 23,309 roll call votes for the House of Representatives and 16,795 roll call votes in the Senate between 1969 and 2010. A breakdown of the types of votes can be seen in Table 1 including total votes, conflictual votes, key votes, and conflictual key votes. Previous literature debated the type of votes to incorporate into an analysis of presidential success. Assessing whether to include all votes or narrow it to a non-unanimous measure or rather to include just a vetted measure of saliency such as key votes, is a concern that can be addressed by an itemization of the various measures.

[INSERT TABLE 1 HERE – Descriptives of Votes for the House and Senate]

A quick look at the first row, which provides a summary of the president's position-taking and success percentages on all votes, reveals why using all roll call votes in an analysis of success can be misleading especially in the Senate. Out of over 23,000 votes in the House, the president took a position on 14 percent and was successful over half of the time. However, in the Senate, the president was more successful at getting his position passed 70 percent of the times on 21 percent of the nearly 17,000 votes. Success for the president in both chambers totals to over 63 percent on all votes. Prior researchers note that looking at all roll

call votes inflates the president's success rate as is apparent here (Edwards 1989; Bond and Fleisher 1990). Many votes in each chamber are unanimous or near-unanimous, and should be regarded more as ceremonial instances rather than necessary measures. By excluding near-unanimous votes, the data reveal that president success is less in all categories. The Senate, in particular, sees a seven percentage point drop from 70 percent to 63 percent in presidential success when including only conflictual roll call votes.

While conflict may be one criteria for determining which votes to include when analyzing presidential success, another is the salience of the bill. The use of *Congressional Quarterly*'s (annual) key votes is a vetted and consistent measure used to assess the most important votes each year. Of the nearly 600 key votes that CQ recorded for the House of Representatives, the president took a position on 64 percent, and was successful 60 percent of the time. Of the roughly 600 key votes in the Senate, the president took a position on 59 percent, and 63 percent of the time he was successful. While he took more positions on issues within the House, he performed comparably in both chambers on salient legislation faring 3 percentage points better in the Senate. Out of 1200 key votes in both chambers, he took a position on 62 percent of all votes and successfully got his position passed in Congress 61 percent of the time. The president performs better in the House on important votes compared to conflictual votes, but slightly worse in the Senate. A final assessment requires excluding non-conflictual votes from CQ's key votes. Just as removing near-unanimous votes from total votes dilutes the president's success, the same happens with key votes.

Much of what is really going on in each chamber is masked by these aggregate figures, which is why I turn to a yearly analysis of presidential position-taking and success. I deconstructed the aggregated analysis into a time line of the percent of positions each president took in both chambers for each year 1969 through 2010. Also, the time series features both conflictual votes and key conflictual votes.

[INSERT FIGURE 2 HERE – Presidential Position-Taking on Legislation]

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The president's use of strategic position-taking and subsequent success varies throughout history. The main trend in conflictual votes in Figure 2 is that the president on average do not take very many positions, no more than 40 percent of all roll call votes at any given time. While position-taking seems to have declined beginning in the early nineties, this could be due more to an increased congressional workload. Since more roll call votes are taken in modern time, the percentage of votes the president takes a position on decreases on average.

However, a different trend results from assessing only salient legislation. In fact, no trend appears in key conflictual votes. Some presidents take more positions on important votes than others, though in comparison to conflictual votes, presidents overall take more positions on important votes. One interesting thing to note is that George W. Bush Bush took very few positions on key votes post-9/11. A decline in position-taking at this time could be a function of the president's high levels of public approval and ability to get legislation passed without ever taking a publicly stated position.

Some of the variation in key votes could be attributed to the small number of key votes CQ chooses each year compared to every conflictual vote. On average, a president takes roughly 340 positions in the House and 274 positions in the Senate each year on conflictual matters whereas on average he only takes 12 positions on key votes. Still, the trends (or lack thereof for key votes) are as expected. Presidents are more systematic about which votes they take positions on later in the time series, and the saliency of the legislation increases the likelihood that the president will state a position.

[INSERT FIGURE 3 HERE – Presidential Success Rates on Legislation]

As with position-taking, I generated a time line of success rates for Presidents Nixon through Obama. The figure includes each president's success per year on both conflictual and key conflictual votes. The trends are less obvious with presidential success compared to position-taking. At first, presidential success in the House was declining aside from President Clinton's two rather successful years in 1993 and 1994. However, due at least in part to the enormous exogenous shock of 9/11, President Bush's success skyrocketed over 70 percent

for six consecutive years in the House before plummeting under divided government. The Senate provides a slightly different story line with higher success rates than the House for the majority of the time series. Also, aside from George W. Bush's presidency the shifts in success are muted compared to the House. Institutional differences between the chambers that enable the Senate to be less susceptible to shifts in public approval could account for the varying success rates (Lockerbie, Borrelli, and Hedger 1998). Key conflictual votes trend in the same fashion as position-taking. Presidents drastically fluctuate on getting salient legislation passed through both chambers. The lowest points occurred in President Ford's administration post-Watergate, the first year of President Carter's term, and just after midterms in 1995 when control of the House and Senate changed over to the Republicans for the first time in forty years.

Another look at individual presidents' success is displayed in Table 2. For presidents who served more than one term, I divided the success rates between the two terms. Presidential success is typically reduced in the second term.[1] The presidents are then rank-ordered based on their overall success while in the White House.

[INSERT TABLE 2 HERE – Presidential Success Rankings]

In the House, a curious thing to note is the power of unified versus divided government. The three most successful president's in the House served under unified government. During Clinton's first term and George W. Bush's second term, they each had one Congress of unified government (103rd and 109th) and one of divided government (104th and 110th). Their middle of the road success rates could be ascribed to the division of unified and divided government in their term. Presidents Obama and Carter hold top presidential success rates in the Senate as well, but George W. Bush is replaced with Reagan's first term for the number two spot. Reagan's apparent success in the Senate is likely attributed to a Republican majority in the Senate during that time. Some preliminary evidence to the importance of

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[1]President Nixon is not divided between his first and second term since he did not serve the entirety of his second term as did President Reagan, Clinton, and George W. Bush.

unified government and being in the majority party can thus be attributed to a president's success.

As Table 2 and Figure 3 demonstrated, presidential success varies greatly for each president. Obama has the highest success rate on conflictual votes in both chambers with as much as a 6 percentage point discrepancy between him and the next president in the House. Overall, a gap of 60 percentage points exists between the most successful president and the least successful president in the House. While the Senate may not be quite as drastic, a 40 percentage point difference still occurs between the number one and eleven spots.

A further evaluation of presidential success trends on roll call votes is broken up based on vote type. As previously noted in the theoretical section, all vote types are not the same when it comes to presidential success. Depending on the type of vote, the president is more or less successful. The table below includes the president's success rates on four main vote types: final passage, amendments, procedure, and vetoes. The most noticeable pattern in Table 3 is that presidents perform better in the Senate than the House on nearly all votes, which was also made clear in Table 1 looking at aggregated measures of success.

[INSERT TABLE 3 HERE – Presidential Success on Vote Type]

Still the variation between presidents in both the House and the Senate is distinct. How presidents win in the legislative arena depends in part on what type of votes they take positions on. Presidents Nixon, Carter, and Obama all faired relatively well on final passage votes in the House. Nixon, in particular, performs 25 percent better in the House than the Senate. Carter did equally well in both chambers, but Reagan, George W. Bush, and Obama do markedly better on final passage votes in the Senate. Reagan actually sees 40 percent better performance in the Senate where he holds a majority compared to the House. Presidents George W. Bush and Obama performed better on amendments in the Senate compared to the House. Again, Reagan performed 20 percent better in the Senate and close behind him H.W. Bush had 17 percent higher success on amendments in the Senate. Much of the differences in success likely result from the internal structures of the House and the

Senate. The House has more control over amendment activity with closed and special rules, whereas the Senate is generally considered to have less structural control over debate. Also, majority rule of one chamber by the president's party seems to increase the probability of success.

A majority of presidents perform remarkably well on procedural matters. President Reagan, H.W.Bush, and Clinton are the only Presidents below 50 percent in the House on procedure, and President George W. Bush is the only President who fares worse than 50 percent in the Senate. With the exception of Nixon, George W. Bush, and Obama, who have incredibly high success rates in the House, every other president did better in the Senate on procedural matters. Ford, Reagan, H.W. Bush, and Clinton all increased success on procedural matters in the Senate compared to the House by more than 25 percent. In particular, exceedingly high ratings for presidents on vetoes could be a result of the limited number of veto votes with an attempted override for each president. President Obama, for instance, only had one veto in his first term. The veto was sustained in the House of Representatives resulting in a 100 percent success rate. The lack of vetoes could also be a function of divided versus unified government. Presidents Carter and Obama both served under unified government throughout their term in office. Therefore, fewer vetoes needed to be used on legislation compared to other presidents.

5.2   Bicameral Perspective

The second data set's unit of analysis is the bill level. In total, it comprises 1745 bills the president took a position on from 1969 through 2010. As with the individual roll call data set, the bill level data is subsetted into the same four categories: total bills, conflictual bills, key bills, and key conflictual bills in Table 4. Conflictual bills were included if any vote on final passage had 80 percent or less of the members voting together. Thus, any amount of controversy on the bill constituted a controversial bill. Nearly 400 of the total

bills were noted by *Congressional Quarterly* as having at least one key roll call vote. Thus, 22 percent of all bills the president took a position on were considered salient compared to just 11 percent of all roll call votes.

[INSERT TABLE 4 HERE – Descriptives of Bills]

The first half of Table 4 looks at overall success rates for presidents throughout the time series on the bill level data. Less variation exists between the different types of bills than with individual roll calls. Also, presidents on average enjoy higher success rates on the bill level analysis than individual roll calls in Table 1. Presidents perform nearly equally well in all categories. They fair only slightly better on conflictual votes than all other measures. While conflictual votes are the most theoretically sound measure of controversial matters, fewer concerns arise as to the salience of bills since a higher percentage of bills are key.

A second section subsets the data further and examines president's success at getting bills passed into law. As a whole, presidents were as much as 10 percentage points better at getting legislation passed into law, than just overall success. A possible explanation for high success rates on getting bills passed into law is that as seen in Table 3, presidents fare better on final passage votes from which this dataset is derived. From a procedural standpoint, presidential success on final passage votes makes sense, because these votes are the last stage in the process, and majority leaders in the House and Senate are unlikely to request votes without knowing how they will fare. Presidents also have knowledge of the dynamics of the vote, which helps to bolster their success on final passage and ultimately on their ability to get bills turned into law.

[INSERT FIGURE 4 HERE – Presidential Success Rates on Bills]

Further investigation into the disaggregated bill data reveals much discrepancy between which presidents are successful. Figure 4 creates a time line of success rates from 1969 through 2010 on the bill level data. Overall, as was clear in Table 4, presidents are more

successful at bill passage than on a vote by vote basis. Only one year does a president's success drop below 30 percent compared to four years in the time series of individual roll calls. Though success remains rather fluid throughout the time period, the line trends upwards until President George W. Bush's term, but regains momentum again in President Obama's first term.

The most remarkable trend in the time series is that it runs completely opposite of the time line of presidential success in Figure 3. The 1970s and late 2000s are the only periods that develop in a similar pattern. In Figure 3, from 1975 to 2000 the line shows declining success, but in Figure 4 this time period coincides with an increase in success for the president. George W. Bush's success increases on individual votes, but decreases proportionally at the bill level. Thus, while some presidents experience considerable success at getting their position passed in either the House or the Senate, they are not as successful at getting bills passed or keeping bills from passing on average. Successful presidents on the bill level were less successful on the vote level.

The results are even more pronounced when evaluating the ranking of presidents in Table 5. The table lists the presidents in order of success based on term in office. Presidents who were ranked high on the list for individual votes are now at the bottom on bills and vice versa for presidents ranked low on the roll call votes list. President Clinton's second term, for instance, had the lowest success rate in the House and Senate in Table 2, but he rockets to the top of the chart with an over 85 percent success rate on bills. President Obama, who topped the charts for individual votes, dropped to 8th with a 64 percent success rate.

[INSERT TABLE 5 HERE – Presidential Success Rankings on Bills]

Similarly in Table 5, President Bush's first term drops to the very last on the list with only a 40 percent success rate. Finding that President Bush's first term was unsuccessful legislatively may seem counter-intuitive considering the time frame is largely post-9/11, when presidential approval was at its highest point in history. However, Bush's low success rates on bill passage raises a very interesting theoretical point regarding times of high crises. President

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Bush was not as successful at bill passage as he was on individual roll calls, because he simply did not need to take as many positions on final passage. Throughout his first term, he was afforded great trust and power without ever having to take positions or consult Congress. Many of the policies enacted never received a presidential position on final passage. Thus, the majority of positions Bush took on bills were when he was most concerned about losing. When he did lose, it severely decreased his success rate on bill passage based on a smaller number of positions.

While unified government was an indicator of successful presidents on roll call votes in Table 2, the same can not be said about bill passage. Presidents Obama, Carter, and Clinton in his first term, who served under unified government, were all top of the charts, but fell significantly when looking at bills. To get legislation passed through both chambers of Congress requires the president and Congress to compromise. During divided government, legislators compromise to get bills enacted into law, because they know they are not guaranteed anything in the process. While the majority and minority parties do not get everything they want during divided government, both receive part of what they want. During unified government, the minority party is more likely to use every opportunity to block legislation, especially if the in-party fails to secure a filibuster-proof majority in the Senate, because they are being excluded from legislating. During times of divided government, if the two branches work together, more bills are passed. Also, the president can rely on one chamber to block legislation if he is of the majority party keeping unwanted legislation from passing.

The difference in success rates between the individual roll calls and bill-level data for each president is in part a function of the way a bill level analysis reclassifies final passage votes. Individual roll calls count each vote the president takes a position on separately. Sometimes that means up to six final passage votes on the exact same bill. While each vote individually is important for an analysis of how a bill progresses through Congress, it does not give a clear assessment of the bill's eventual outcome. Re-classifying votes to account for whether or not the bill eventually became law clarifies the final step in the congressional process.

[INSERT TABLE 6 HERE – Re-classified Roll Call Votes]

Table 6 includes two different types of re-classified votes: failed and success. A re-classified "failed" vote is when the president was not successful at final passage on the roll call vote, but was successful at getting his position passed at the bill level. A re-classified "success" vote is where the president was successful at final passage, but failed to succeed on the bill. Thus, a failed vote is actually a successful bill, and a successful vote is actually a failed bill.

Re-classifying votes in this manner provides both increases and decreases in overall success for individual presidents. How much they increase or decrease depends on the number of votes re-classified in each category. Presidents who saw a higher percentage of failure rates change into successes at the bill level increased their overall success as long as it was not offset by a proportional reduction in re-classified successful votes. President Clinton in his second term as well as H.W. Bush had high rates of failure re-classified into successes while holding their successes nearly constant. A change from failure to success on bills caused them to jump from number 9, 10, or 11 on individual roll calls in Table 2 to number 1 and 2 in Table 5. Comparably, presidents with a higher percentage of successful votes re-classified into failures on bills fell in the rankings in Table 5. President George W. Bush in his first term and Carter fell to the bottom of the rankings based on mis-classified successes. While the presidents appeared successful on individual votes, overall they failed to achieve the type of successes that resulted in bill passage.

Failing to take into account whether or not a president is successful at getting bills passed biases the overall results for certain presidents. Presidents who historically are thought of as successful are dragged down by multiple mis-classified votes on issues, and presidents who are considered less successful are boosted by a measure that assesses only individual roll calls. Incorporating the final stage of the legislative process into the analysis bolsters theoretical assumptions about presidential success, and provides a further inspection of presidential behavior beyond the roll call record.

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Chapter 6

Modeling Presidential Success

6.1   Individual Vote Perspective

The various factors influencing presidential success in the House and Senate outlined in the theoretical section are statistically analyzed in this chapter. The unit of analysis for these regressions is the individual roll call. I estimate two logistic regressions to model presidential success. First, I assess the elements affecting presidential success in Congress. Then, I run separate logit models for the House and Senate to attest for the differences between the chambers. These models allows me to test the first half of my hypotheses, and I will turn to the second half in the bill level analyses. I begin by outlining how the variables are operationalized.

[INSERT TABLE 7 HERE – Variable Summaries Roll Call Data]

Table 7 provides a summary of the variables used to model presidential success. The dependent variable, success, is an assessment of whether or not the president's position passed the chamber. It looks first at if the president took a position on the legislation. *Congressional Quarterly* coded whether the president was for or against the legislation in their annual *Almanac*. Based on this measure of position taking, I coded a dummy variable 1 if the president's position passed and 0 if the president lost. A more detailed measure could

be parsed out by looking at the margin of victory for each roll call vote, but since a minimum threshold as much as a unanimous vote constitutes a win, this measure is employed.

The first hypothesis suggests that presidents are more successful at passing legislation than keeping it from passing especially in the House. To account for this, I include a dichotomous variable, president position. The variable indicates what type of position the president took on the vote at hand. The variable is coded 0 if it is a negative position, where the president took a "nay" position on the vote. If the president stated a positive position, then it is coded as a 1, where the president took a "yea" position on the vote.

Party makeup is the next variable used in the logit model. Hypothesis 2 argues that the president is more successful when he is in the majority in the chamber. Partisan division between Congress and the president will have a negative effect on presidential success. A president who does not have the support of his co-partisans is unlikely to obtain leeway from Congress. However, since the president is generally considered the head of the party, the majority of his fellow partisans will vote in his favor on policy initiatives. Party then is a central component of congressional behavior (Cox and McCubbins 2005, 1993; Aldrich and Rohde 2001; Rohde 1991). The party makeup regressor measures the percentage of members in the chamber from the same party as the president. Values over fifty percent indicate that the president is in the majority party and under unified government.

The next set of hypotheses are operationalized through measures of presidential popularity and an economic indicator. Since presidents are expected to perform better under higher approval and more favorable economic conditions, these measures are used to assess the validity of these claims. Presidential popularity is coded as Gallup's measure of presidential job performance. The measure comes from the question, "Do you approve or disapprove of the way [first & last name] is handling his job as President?" which Gallup asked respondents throughout the time frame. I used the closest measure of presidential approval before the date of the roll call vote to attain the most accurate measure of the public's perception of presidential job performance when the vote took place. The economic indicator used is the

misery index, which is a function of unemployment plus inflation. The misery index ranges from 5.74 in early 1998 during President Clinton's second term to 21.98 mid-1980 in the last year of President Carter's administration. Higher values equal a worse state of the economy. The measure was coded for the month in which the vote took place.

Additionally, I employed a control variable for the term in which the president was in office. This measure accounts for a president's increased success during his first term in office. Term is dichotomized as 1 for the first term in office, and 0 for the second term with an expectation that the president will be more successful in the first term. Further, I include fixed effects for individual presidential administrations: Ford, Carter, Reagan, George H. W. Bush, Clinton, George W. Bush, and Obama. The reference group for this variable is President Nixon. Controls are used to account for individual idiosyncratic styles of leadership among the presidents.

[INSERT TABLE 8 HERE – Logit Models of Presidential Legislative Success

in the House and Senate]

Table 8 provides the maximum likelihood estimates for the two logistic regressions. As a whole, the model performs rather well with nearly all the estimated independent variables reaching significance at the 0.05 level. The first thing to note is that the variable president position has a positive and statistically significant effect in both logit models. The results reveal that the president is more likely to succeed when he takes a positive rather than a negative position. Overall, the president's success is attributed to passing legislation rather than keeping legislation off the table. The relationship between the House and the Senate as to whether or not the president's position is muted in the Senate is still yet to be determined from the analysis of the regression coefficients. The finding that presidents are better at passing legislation gives some indication of support for Hypothesis 1.

Support is also found for the expectations of Hypothesis 2 regarding the influence of party makeup in each chamber. Party makeup has a positive and significant effect for both the House and Senate models, which indicates that the president is more successful when he is in

the majority rather than the minority party. Further, the outcome variable, approval, seems to provide verification of Hypothesis 3. Since the coefficient is both positive and significant, it shows that presidents are more successful when they have higher levels of approval.

The coefficients for both economy and term find mixed results. The economy only has a discernible effect in the Senate giving justification for part of Hypothesis 4. A change in the economy impacts presidential success for roll calls in the Senate. The economic indicator shows that presidential success in the House is not affected by a change in economic conditions. The variable term finds opposite results. The president is more successful in the first term than the second term in the House, but the variable is not statistically significant in the Senate. A possible explanation for the differences between the chambers could correspond to the institutional differences between the House and the Senate. The House is more susceptible to a larger swing in representatives to come into office on the coattails of the president since all members are re-elected every two years whereas only one-third of Senators are re-elected. The Senate may be more prone to shift based on the economic conditions due to the fact that they have a larger constituency than the House and their home styles differ since they have to be elected in a state-wide election (Fenno 1978). Additionally, the fixed effects for the House are negative and significant except for Ford, Reagan, and Obama. All presidential dummies are significant in the Senate providing evidence that individual presidential styles provide some nominal effect on successful outcomes. This conclusion presents an affirmation of a president-centered approach to presidential success as individual president's assist in shaping their own success.

To consider more closely the results of the logistical regressions in Table 8, I calculated the marginal effects for each variable. I computed the change in predicted probability from the first to the third quartile for each variable, while holding all other variable at their median, if continuous, or mode, if dichotomous. I used quartiles to discount the possibility of outliers affecting the results, and the median to hold all values at an actual value the variable could take. The last column in Table 8 reports the change in predicted probability

(ΔPr) for each significant variable.

The marginal effect for president position presents substantial support for Hypothesis 1. Going from a negative to a positive presidential position increases the presidents chance of success by eight percentage points in the House holding all else at fixed values. The change in predicted probability for a president in the House reveals that presidents perform better at passing legislation than failing legislation on average. Also, the marginal effect for the Senate gives further support for Hypothesis 1. The change in predicted probability of wanting a policy to fail to supporting the policy increases the president's success by six percentage points in the Senate.

[INSERT FIGURE 5 HERE – Predicted Probability of Party Makeup

in the House and Senate]

Party makeup has an enormous effect on presidential success as predicted in Hypothesis 2. Figure 5 illustrates the effect of party makeup in both the House and the Senate. When the president goes from having a minority of co-partisans in the chamber (42% co-partisans) to the majority (53% co-partisans), the change in predicted probability increases the president's chance of success by 27 percentage points in the House. Unified government shows a tremendous influence on the presidency and the House of Representatives. The House, with its party incentive structure, helps a president if he is of the same party and hurts him otherwise providing some evidence to the idea that the president is the "head" of the party. Further justification for Hypothesis 2 is shown by examining the first difference of party makeup in the Senate. The change in predicted probability from the minority party (45% co-partisans) to the majority party (55% co-partisans) increases the president's success rate by 24 percentage points in the Senate. While party still contributes a substantial amount to presidential success in the Senate, the success rate for the president is muted in the Senate

Marginal effects for approval in both the House and the Senate support Hypothesis 3. The change in predicted probability from low levels of presidential approval (42% in the House and 43% in the Senate) to higher levels of approval (58%) increases the president's

success by 3 percentage points in both chambers. Thus, presidents are more successful when they have over 50 percent approval from the public. Good economic times also increases the president's success in the Senate with a change in predicted probability from poor economic conditions to good economic times increasing success by four percentage points. Finally, president's are more successful during the first term which increases the chance of success in the House by 18 percentage points holding on average all else at a fixed value.

6.2   Bicameral Perspective

An analysis of bicameral presidential success is explored in this section. The unit of analysis is the bill level. I estimate two logistic regressions to model presidential success on bill passage. The first model includes variables that affect a bill level investigation with a test for House variables and a separate logit model is estimated for the Senate. The two models are identical save for two House and Senate specific variables. These models allow me to examine the second half of my hypotheses. Table 9 begins by summarizing how the variables are operationalized.

[INSERT TABLE 9 HERE – Variable Summaries Bill Data]

President position and party makeup are coded in the same fashion as the individual roll call data. President position accounts for the operationalization of Hypothesis 5, which posits that presidents will be more successful at keeping bills from passing. Hypothesis 6 is quantitatively measured through the party makeup variable, which reasons that party has an impact on the president's success, but at a diminished rate. Party makeup is an individual variable for the House and Senate. The House variable is estimated in the first model and the Senate variable is estimated in model two. Rather than assessing the percent co-partisans of the president in a specific chamber as with party makeup, divided government judges whether the president was of a different party than either the House or the Senate. Divided government is anticipated to have a positive effect on presidential success at the bill level.

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The variable is dichotomized as 1, if the president is of a different party than one of the chambers of Congress, and 0 if all three components are unified under the same party.

The predictor variable, polarization, subsequently measures Hypothesis 8, which states that increased polarization in the chamber decreases the president's chance of success. A measure of polarization is operationalized as the distance between the median member of the Democratic Party and the median member of the Republican Party from DW-NOMINATE scores (Poole and Rosenthal 1997). The range of polarization in sample is .511 to .985 in the House and .500 to .831 in the Senate. Values approaching one equate to higher levels of polarization. Polarization was employed per Congress from the 91st through the 111th.

Two control variables are utilized in the model: conference and term. Conference shows whether or not a final passage vote on a conference report was taken. The expected result is that conference reports will increase the likelihood of success. Conferences foster discussion and compromise on bills, and are typically the final stage in the congressional process before the bill is handed over to the president. Also, conferences provide the president with a last ditch effort to get legislation to fail. The variable is coded 1, if a conference vote was taken on the bill, and 0, if the bill never went to conference. Another control, term, is operationalized the same as the individual roll call data with the assumption that presidents are more successful in their first term in office.

[INSERT TABLE 10 HERE – Logit Models of Bill Level

Presidential Legislative Success]

The maximum likelihood estimations for the bill-level analysis are presented in Table 10. Overall, the logit models perform well with nearly all variables significant at the 0.05 level. An interesting finding from the results is that the president position coefficient swaps from positive in the individual data to negative in the bill level analysis. A negative coefficient suggests that presidents perform worse when attempting to pass bills than keeping bills from passing as expected in Hypothesis 5. Thus, the type of position a president takes

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matters. When considering the final outcome of the bill and potential policy implications, the president is more successful at keeping things off the table.

Table 10 shows that the coefficients for both the House and Senate party makeup are significant and in the expected, positive direction. This offers tentative support for Hypothesis 6, which states that the president is more successful at the bill level when he is in the majority party. The regressor, divided government, offers support for Hypothesis 7. The president performs better during divided government at bill passage as the majority of the president's success comes from negative position-taking and keeping bills from passing. Moreover, conference reports seem to positively impact the president's chance of success. The positive, significant coefficient leads to the realization that the president is more likely to get his position passed when bills go into conference.

The logit models provide evidence counter to expectations as well. Polarization has a significant effect on the president's success. However, the effect is in the opposite direction than anticipated. Hypothesis 8 argues that polarization should decrease the amount of success that a president receives, but the coefficient has a positive effect on success. One reason could be the president is more effective at killing legislation rather than passing legislation. When polarization increases the two parties are unable to work together, let alone find common ground with the president. Thus, the president should be able to keep more legislation from passing in a highly polarized system, which contributes to his success. In addition, the term that the president is in seems to have no significant effect in either model.

I calculated marginal effects (ΔPr) for all significant variables in the bill level model the same way as the individual level data, ranging from the first to third quartile holding all else constant at its median or modal value. The president position gives further support for Hypothesis 5 showing that the president succeeds more at getting legislation to fail rather than to succeed. The change in predicted probability of going from a negative to a positive position decreases the probability of success in the first model by 24 percentage points on

average, holding all else at typical values. In the second model, the marginal effect decreases the president's chance of success by 27 percentage points on average. Thus, the president is much more successful at failing bills. This result is intuitive considering the small number of positions the president takes, and the even smaller number of bills that end up becoming law. A president would inevitably have to be successful at keeping policy they disapprove of from passing, because so few bills end up enacted each Congress.

[INSERT FIGURE 6 HERE – Bill Level Predicted Probabilities
of Party Makeup]

Additional consideration of party makeup is presented with the marginal effects. Hypothesis 6 is supported by assessing first difference of party makeup as well as the predicted probability graph presented in Figure 6. The change in predicted probability of the president having fewer co-partisans (41% co-partisans) to more co-partisans in the House (51.5% co-partisans) increases the president's success by one percentage point on average. A finding such as this runs contrary to much of the previous literature. Party effects in individual chambers, when assessed through individual level data, show an increase of 31 percentage points for the House. Party matters quite a bit on individual roll calls. When taking into account whether or not the position actually passed both chambers, the effect of party is just one percentage point in the House.

Furthermore, the change in party makeup from the minority party (45%) to the majority party (54%), increases the likelihood of success by 9 percentage points in the Senate. Since presidents are more likely to be successful at keeping legislation from passing and supermajority votes as well as filibusters contribute to this, presidents should be more successful within the Senate than the House. Unlike the individual level data, which saw that party mattered more in the House than the Senate, the reverse occurred when considering bicameralism. Since it is more difficult to get legislation passed through both chambers, party makeup in one chamber matters less. Many more parts are moving in regards to the bi-

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cameral approach to passing legislation compared to just one chamber in the individual vote perspective.

Similarly, divided government plays a significant role in presidential success supporting Hypothesis 7 in both models. Changing from unified government to divided government increases the president's chance of success by 35 percentage points in Model 1 and 22 percentage points in Model 2 holding all else at specific values. While unified government might be a useful factor for the president on individual votes, a bicameral focus shows that divided government actually contributes to success. Divided government fosters compromise between the branches assisting the president in passing legislation. Also, while compromise is not always possible, it is likely that the president is able to capitalize on the numerous ways to kill a bill in Congress.

As stated above, polarization has a significant, but positive effect on success. This means that the change in predicted probability from low levels (.560) to high levels (.869) of polarization increases the president's chance of success by 9 percentage points in the House on average, holding all else constant. Also, the change in the predicted probability of polarization from .566 to .766 in the Senate increases the probability of success by 8 percentage points in the Senate. The finding that polarization actually increases success runs contrary to Hypothesis 8, and subsequently is contrary to the majority of the literature about polarization. One explanation is that polarization increases the likelihood that presidents will not take more negative positions, and that they will pass due to the divided nature polarization ensues within the legislature. Also, part of what could be driving the result is the fact that polarization increases throughout the entire sample of the data, and perhaps a more detailed measure of polarization would be useful.

Marginal effects for the variable conference bolsters the evidence relating to presidential success. A bill in which a conference vote took place increased the likelihood of success by 21 percentage points in model one and 25 percentage points in model two. Such a significant finding could result for two possible reasons. First, conference votes are typically the final

stage in the process, which means that the two chambers are coming together to compromise and work out their differences. Second, the final stage also suggests that this is the last time in which the president and other members can attempt to kill a bill. Thus, if the president opposes the legislation, it gives him one more chance to keep it off the table without a veto.

Chapter 7

Conclusion

Limitations exist for both the individual and bill level measures of success that need to be considered before continuing with research on presidential success. Each measure has trade offs in comparison to the other. The individual vote perspective's fundamental problem is that it does not take into account bicameralism. Much of the research, including the first two models in this thesis, gauge presidential success separately in each chamber. On the surface, a measure accounting for each chamber is logical considering the many differences between the chambers. Since the House and the Senate function in varying capacities, they should be parsed out into individual models. Yet, these models exclude the inherent interaction between the chambers in creating public laws. As such, assessing individual roll calls sometimes double and triple count successes and failures without ever determining the bills eventual outcome.

On the flip side, individual roll call votes have a unique perspective on the president's position-taking. Roll calls look at effects in both chambers and assess the institutional differences more closely than a bicameral model. Certain institutional constraints render a president more successful depending on the type and context of the vote. Although amendment activity is not always as publicly assailed as controversial final passage votes, they still represent a portion of the bill in which the president has a vested interest. These vote

types are excluded from the bicameral perspective. Since presidential position-taking is a strategic motivation, the exclusion of amendment activity and other controversial matters the president takes a position on overlooks a potentially vital element of presidential success.

The bicameral perspective introduced in this thesis, however, does take into account the interaction between the two chambers. Each bill is one unit and determines how the bill faired on final passage votes, conference votes, and vetoes. Rather than ascertaining that a bill is complete at one stage, this analysis purports the main focus of presidential success as policy creation or failure. Whether or not a policy is enacted is the primary concern of not only the president and Congress, but also the media and general public. Presidential-congressional relations research contends that policy creation is one of the fundamental attributes of presidential job responsibilities at least since FDR in the 1930s.

Still a bill-level analysis does have the disadvantage of focusing on presidential success through an assessment of bill failure rather than bill passage. As the results displayed, presidents are more successful at keeping bills from passing than allowing them to succeed. Theoretically, this concept makes sense considering the various pathways of success. If the president wants the bill to pass, he can only succeed on a bill in the legislative arena one way: if it passes both chambers. However, he is capable of success five or more ways when he attempts to squander a bill's passage. A supplementary assessment of solely positive vote choice and the circumstances influencing presidential success on passage would be a relevant topic to explore in future research.

Several other areas are pertinent for future research. One such area is presidential position-taking on bills. The bill level data set is constructed including only those bills in which the president took a position. Thus, this analysis is only capable of looking at presidential success. Previous researchers argue that position-taking is really the first step in the process of presidential success (Marshall and Prins 2007). Since presidents only take a very small number of positions on individual roll calls, it would be worthwhile to demonstrate the strategic nature of position-taking on bills as well by extending the data set to include

all bills that had a final passage vote.

A second area of interest is presidential programmatic success. Much of the presidency research, including this thesis, assesses presidential success on whether or not legislation passed that the president took a position on in Congress. This focus fails to take into account the president's preferences or legislative agenda. Some researchers have done this through analyzing State of the Union addresses and comparing them across successful roll call votes. Other approaches would be to quantify campaign messages, Statements of Administration Policy, or websites to see how much legislation the president favors actually passes rather than just including votes he takes a position on. Additionally, it would be worthwhile to weight legislation based on the number of positions the president took as well as his agenda slate. While weighting poses some difficulties in confirming presidential importance on his agenda, it could reveal valuable findings.

A third and final area of interest would be to consider the vice president's influence on presidential success. From 1969 through 2010 the vice president took five tie-breaking votes in the Senate that eventually became law. Without the vice president's support, the president would have otherwise suffered losses on these bills. The constitutionally mandated mechanism by which the vice president has authority in the legislative process creates controversy both historically and in more modern times. An APD perspective would be particularly interesting considering John Adams and John C. Calhoun both cast nearly 30 tie-breaking votes when they were Vice President. The distinction between John Adams, who was runner up to President Washington, and John C. Calhoun, who served under two administrations, President Jackson and J.Q. Adams, would be a worthwhile case study in vice presidential influence on presidential success.

The empirical analyses reported in the previous sections indicate that presidential success is a unique and dynamic area of research. The individual and bicameral perspectives offer distinctive evaluations of presidential legislative success and their predictors. Failing to account for the bicameral approach in the literature limits analysis of the policy implications

of presidential position-taking and success on bills. If policy creation is the goal of presidents and the way in which presidents are judged by the public, then stopping short of assessing the bill's eventual outcome fails to account for the policy implications. Re-classifying votes in the bicameral perspective asserts a different, perhaps more intuitive approach to presidential success.

Bicameralism in presidential success reveals that presidents are not more successful at bill passage than bill failure. A large part of what the president aims to achieve is to keep bills they disapprove of off the table. It is unlikely that many people would believe that the president was able to achieve wins for all the policies in which he supports, though he is rather successful at passing bills he favors. History provides some understanding about which presidents are more successful than others. The bicameral perspective places presidents more closely along the lines of this intuition with Clinton and Reagan on the high end and Carter and Ford on the low end.

Furthermore, the bill-level analysis illustrates that much more is happening in the legislative process than can be asserted from one perspective. Both conference reports and divided government seem to have a tremendous effect on presidential success from a bicameral perspective. Yet, characteristic of the many moving parts in a bicameral focus, party makeup has a significantly reduced effect than much of the previous research asserts. In fact, presidential success is more variable than an individual vote perspective and party makeup in each chamber matters less when considering the bill itself.

Re-considering President Bush's role in stem cell research in 2007 further illustrates this variability. His success on the S. 5 Stem Cell Research Act that he wanted to fail is an example of the president asserting his influence at keeping unwanted legislation from passing. Otherwise, the bill would have been counted as failures in the individual vote model. However, his failure at passing the S. 30 HOPE Act reveals the difficulties associated with passing legislation through both chambers. A bicameral, policy-oriented perspective redefines the nature of presidential success in a way that more accurately assesses congressional

output from a one shot game to the final outcome.

Chapter 8

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Chapter 9

Appendices

9.1 Tables

TABLE 1: DESCRIPTIVES OF VOTES FOR THE HOUSE AND SENATE

	House			Senate		
	Votes	Pos.	Success	Votes	Pos.	Success
Total Votes	23309	14.2	56.1	16795	20.6	70.3
Conflictual Votes	14658	17.7	54.8	11798	19.9	63.2
Key Votes	598	64.2	59.9	601	59.4	62.5
Conflictual Key Votes	536	66.2	59.7	527	61.1	60.6

Note: This table shows the number of total votes, conflictual votes, key votes, and conflictual key votes, the percentage of positions the President took on these votes, and his overall success rates in each chamber.

House			Senate		
President	Success	Rank	President	Success	Rank
Obama	91.3	1	Obama	86.6	1
W. Bush term 1	84.0	2	Reagan term 1	85.7	2
Carter	73.3	3	Carter	70.7	3
Nixon	70.5	4	Clinton term 1	61.0	4
Reagan term 1	58.2	5	Reagan term 2	60.3	5
Clinton term 1	57.1	6	Ford	58.8	6
W. Bush term 2	56.5	7	Nixon	54.1	7
Ford	51.2	8	W. Bush term 1	53.0	8
H.W. Bush	41.8	9	W. Bush term 2	51.7	9
Reagan term 2	39.2	10	H.W. Bush	51.3	10
Clinton term 2	30.9	11	Clinton term 2	43.2	11

Note: This table shows aggregate success rates on conflictual votes for each President in the time series rank ordered based on performance in the House and Senate.

| | House | | | | Senate | | | |
President	Final Passage	Amend.	Procedure	Veto	Final Passage	Amend.	Procedure	Veto
Nixon	74.7	54.3	74.0	72.7	50.0	54.4	52.0	70.0
Ford	46.0	51.1	44.0	52.6	51.7	61.6	71.4	60.0
Carter	83.9	67.5	73.3	100.0	86.8	74.2	77.3	–
Reagan	35.0	57.4	45.3	36.4	74.6	77.8	70.3	50.0
H.W. Bush	36.5	47.5	18.8	78.6	32.4	64.8	50.0	76.9
Clinton	38.7	48.8	35.2	63.6	46.5	55.1	60.2	80.0
W. Bush	57.1	62.6	73.5	75.0	69.4	61.3	33.9	0.0
Obama	88.4	96.0	95.7	100.0	100.0	92.9	79.2	–

Note: This table shows the success rate of the President on four different types of votes: final passage, amendments, procedure, and veto ovverides. The two cases where there is a dashed line show that Carter and Obama never had a veto override show up during their term.

TABLE 4: DESCRIPTIVES OF BILLS

	Bills	Success	Public Laws	Success
Total Bills	1745	64.5	707	71.7
Conflictual Bills	1032	69.9	336	73.2
Key Bills	389	64.3	184	75.5
Conflictual Key Bills	305	65.6	132	75.0

Note: This table shows the number of total bills, conflictual bills, key bills, and conflictual key bills, and his overall success rate.

TABLE 5: PRESIDENTIAL SUCCESS RANKINGS ON BILLS

President	Success	Rank
Clinton term 2	85.7	1
H.W. Bush	79.3	2
Reagan term 1	71.5	3
Nixon	69.9	4
Clinton term 1	68.1	5
Reagan term 2	67.0	6
W. Bush term 2	64.6	7
Obama	64.3	8
Ford	61.9	9
Carter	57.2	10
W. Bush term 1	40.5	11

Note: This table shows aggregate success rates for each President in the time series rank ordered based on performance on bill passage.

President	Failed	%	Success	%	Overall	%
Nixon	50	22.0	70	31.3	120	26.7
Ford	40	33.9	31	27.2	71	30.6
Carter	18	9.9	72	39.8	90	24.9
Reagan term 1	67	38.3	45	25.6	112	32.0
Reagan term 2	86	43.9	25	13.3	111	28.6
H.W. Bush	109	47.6	20	9.9	129	28.8
Clinton term 1	78	35.8	68	33.8	146	34.8
Clinton term 2	104	59.1	18	11.5	122	35.3
W. Bush term 1	6	6.5	46	49.5	52	28.0
W. Bush term 2	110	55.6	32	17.5	142	36.6
Obama	3	6.0	14	28.0	17	17.0
Total	671		441		1112	
Average		32.6		26.1		29.4

Note: This table shows the number of roll call votes specified as a success or failure for the president that were classified in the opposite direction for a bill level analysis. A vote was reclassified in two ways. One, when the president failed on final passage, but succeeded at the bill level or succeeded on at least one final passage vote, but failed at the bill level to become law.

Table 7: Variable Summaries Roll Call Data

Variable	What it measures	Range	House and Senate Median/Mode
Dependent			
Success	whether or not the the president's position passed	0: fail 1: success	1 1
Independent			
President Position	whether the president took a negative or positive position	0: negative, "nay" 1: positive, "yea"	0 1
Party Makeup	% president's party in the chamber	H: 33-67 S: 38-61	47.0 49.5
Approval	% job approval prior to the vote	23-89	49 50
Economy	misery index: unemployment + inflation	5.74-21.98	9.61 10.30
Term	whether the vote was in the president's 1st or 2nd term	0: 2nd term 1: 1st term	1 1
Ford-Obama	presidential indicators	0: other presidents 1: president named	0 0

TABLE 8: LOGIT MODELS OF PRESIDENTIAL LEGISLATIVE SUCCESS IN THE HOUSE AND SENATE

	House			Senate		
	Estimate (S.E.)	z value	ΔPr	Estimate (S.E.)	z value	ΔPr
President Position	0.52 (0.09)	5.77	.08	0.38 (0.09)	4.09	.06
Party Makeup	0.14 (0.01)	9.60	.27	0.15 (0.02)	7.51	.24
Approval	0.01 (0.00)	2.10	.03	0.01 (0.00)	1.98	.03
Economy	0.03 (0.02)	1.45	.02	0.05 (0.02)	2.09	.04
Term	0.82 (0.12)	7.04	.18	0.05 (0.14)	0.37	.01
Ford	-0.03 (0.30)	-0.11		0.49 (0.26)	1.88	
Carter	-3.07 (0.35)	-8.67		-1.76 (0.36)	-4.85	
Reagan	-0.27 (0.17)	-1.52		-0.52 (0.24)	-2.15	
H.W. Bush	-0.69 (0.21)	-3.28		-0.51 (0.19)	-2.69	
Clinton	-1.72 (0.21)	-8.33		-0.94 (0.21)	-4.41	
W. Bush	-0.65 (0.21)	-3.07		-1.33 (0.25)	-5.29	
Obama	-0.63 (0.47)	-1.33		-0.66 (0.45)	-1.46	
Constant	-7.04 (0.68)	-10.29		-7.18 (0.91)	-7.90	
N	14,654			11,842		
AIC	1084			1087		
PRE	27.95%			11.69%		

Note: The change in predicted probability were computed from the first to the third quartile for each variable, while holding all other variables at their median, if continuous, or mode, if dichotomous.

Variable	What it measures	Range	House and Senate Median/Mode
DEPENDENT			
Success	whether or not the the president's position passed	0: fail 1: success	1
INDEPENDENT			
President Position	whether the president took a negative or positive position	0: negative, "nay" 1: positive, "yea"	0
Party	% president's party in the chamber	H: 33-67 S: 38-61	46.0 49.5
Divided Gov't	whether or not the president was of a different party than the House or Senate	0: unified gov't 1: divided gov't	1
Polarization	distance between the median of the Dem. and Rep. Party	H: .511-.985 S: .500-.831	.673 .651
Conference	whether or not a conference vote took place	0: no conference 1: conference	0
Term	whether the vote was in the president's 1st or 2nd term	0: 2nd term 1: 1st term	1

TABLE 9: VARIABLE SUMMARIES BILL DATA

TABLE 10: LOGIT MODELS OF BILL LEVEL PRESIDENTIAL LEGISLATIVE SUCCESS

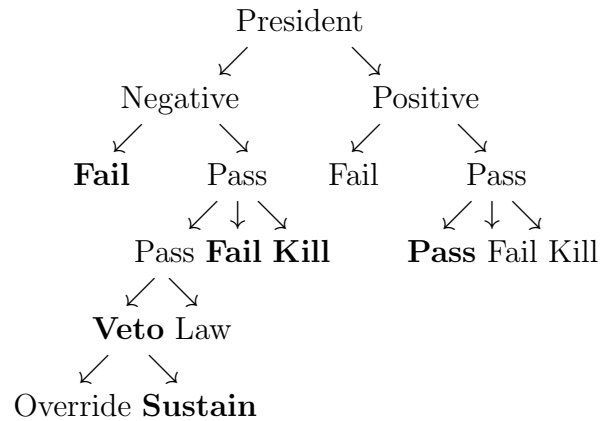|	Model 1			Model 2		
	Estimate (S.E.)	z value	ΔPr	Estimate (S.E.)	z value	ΔPr
President Position	-1.45 (0.18)	-8.06	-.24	-1.45 (0.18)	-8.03	-.27
House Party	0.06 (0.02)	3.30	.01	–	–	
House Polarization	1.30 (0.53)	2.44	.09	–	–	
Divided Gov't	1.49 (0.36)	4.16	.35	0.92 (0.27)	3.40	.22
Conference	1.19 (0.22)	5.36	.21	1.24 (0.22)	5.65	.25
Term	0.30 (0.19)	1.56	.07	0.16 (0.18)	0.89	.04
Senate Party	–	–		0.04 (0.02)	2.13	.09
Senate Polarization	–	–		1.83 (0.85)	2.17	.08
Constant	-3.35 (1.23)	-2.71		-2.40 (1.26)	-1.90	
N	1034			1034		
AIC	1084			1087		
PRE	25.65%			20.83%		

Note: The change in predicted probability were computed from the first to the third quartile for each variable, while holding all other variables at their median, if continuous, or mode, if dichotomous.
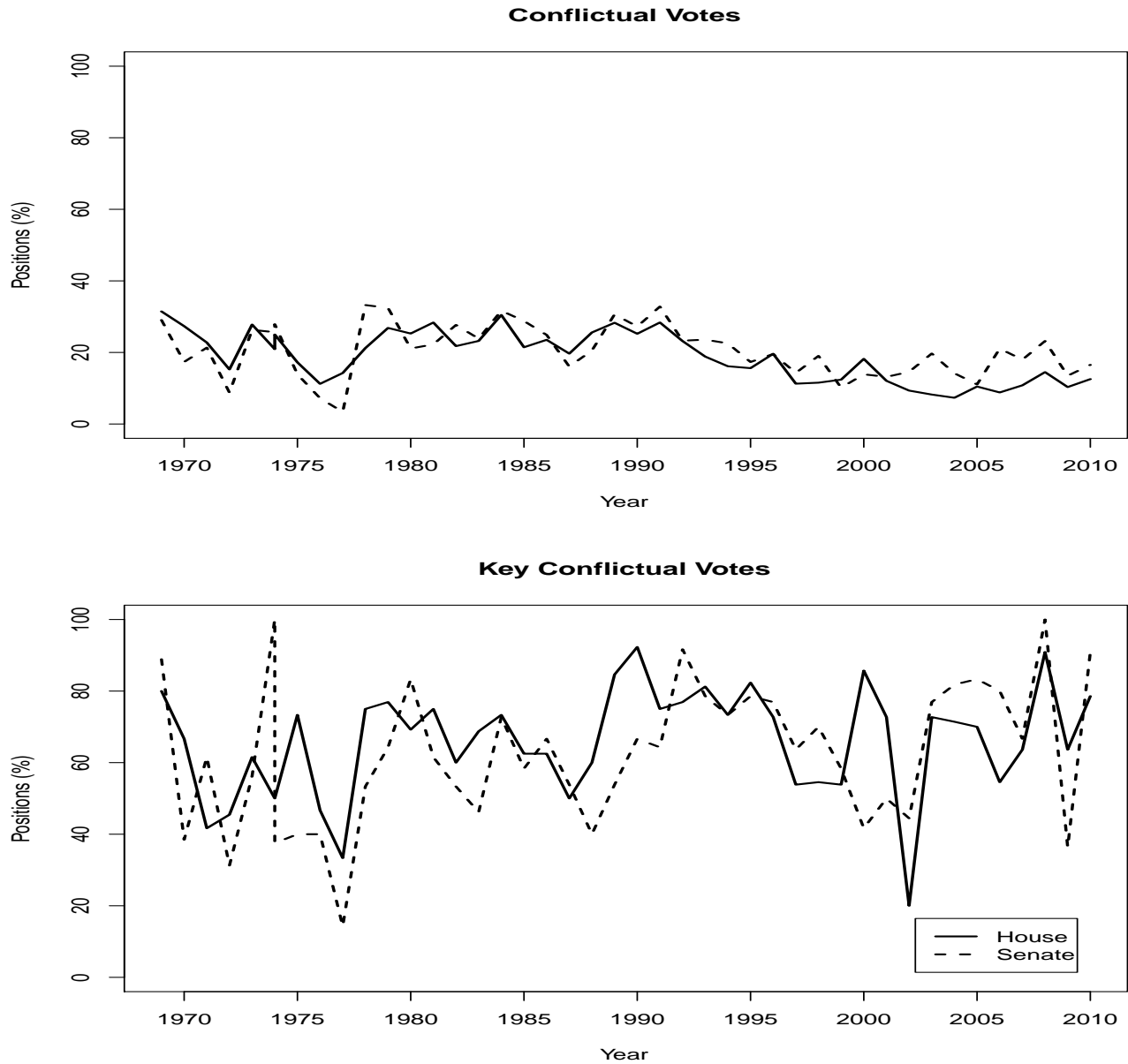
9.2 Figures

FIGURE 1: PRESIDENTIAL LEGISLATIVE SUCCESS MODEL

President

Negative   Positive

Fail   Pass   Fail   Pass

Pass **Fail Kill**   **Pass** Fail Kill

Veto Law

Override **Sustain**

Note: The first move by Congress (pass/fail) is for one chamber. The second chamber acts on whether to pass, fail, or kill (not take up the bill) in the second move. The president's pathway to success is bolded.

FIGURE 2: PRESIDENTIAL POSITION-TAKING ON LEGISLATION

Conflictual Votes
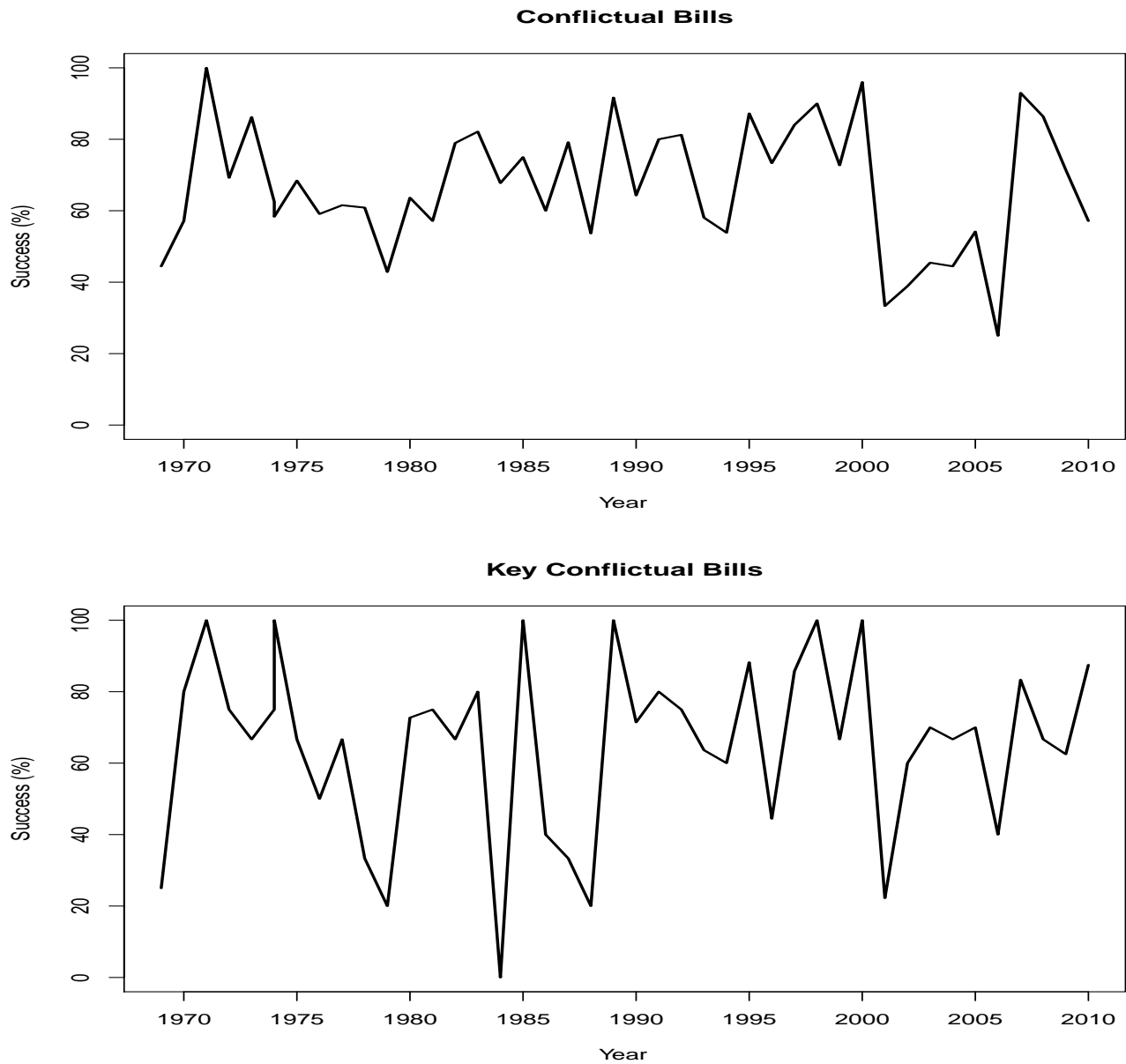

Key Conflictual Votes

Note: The figures show the percentage of positions the president took each year from 1969-2010 on all conflictual roll call votes and key conflictual roll calls.

FIGURE 3: PRESIDENTIAL SUCCESS RATES ON LEGISLATION
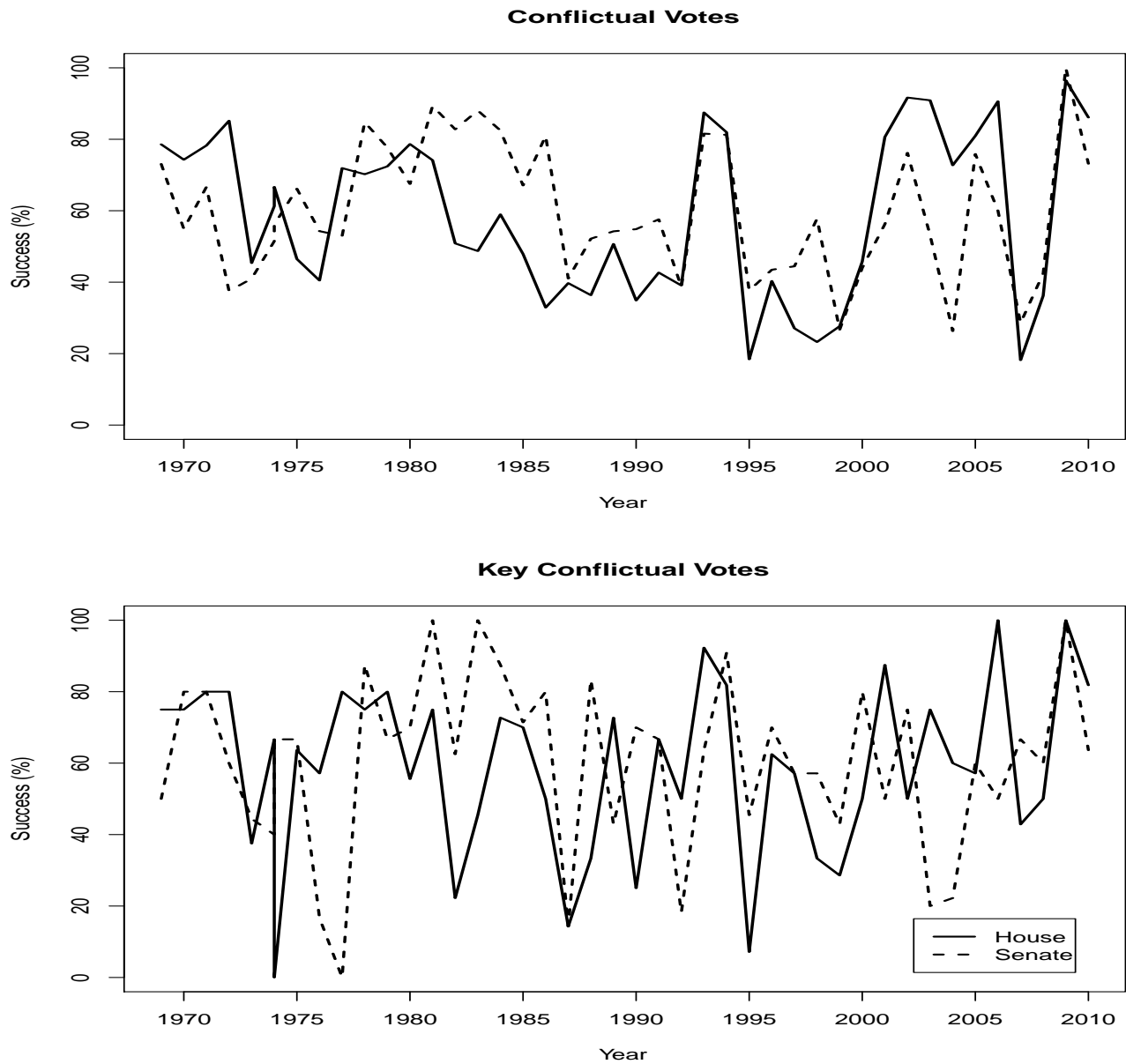
Note: The figures show the percentage of conflictual and key conflictual roll call votes that the president took a position on each year from 1969-2010 that successfully got passed through Congress.

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FIGURE 4: PRESIDENTIAL SUCCESS RATES ON BILLS

Conflictual Bills

Key Conflictual Bills

Note: The figures show the percentage of conflictual and key conflictual bills that the president took a position on each year from 1969-2010 that successfully passed the President's position.
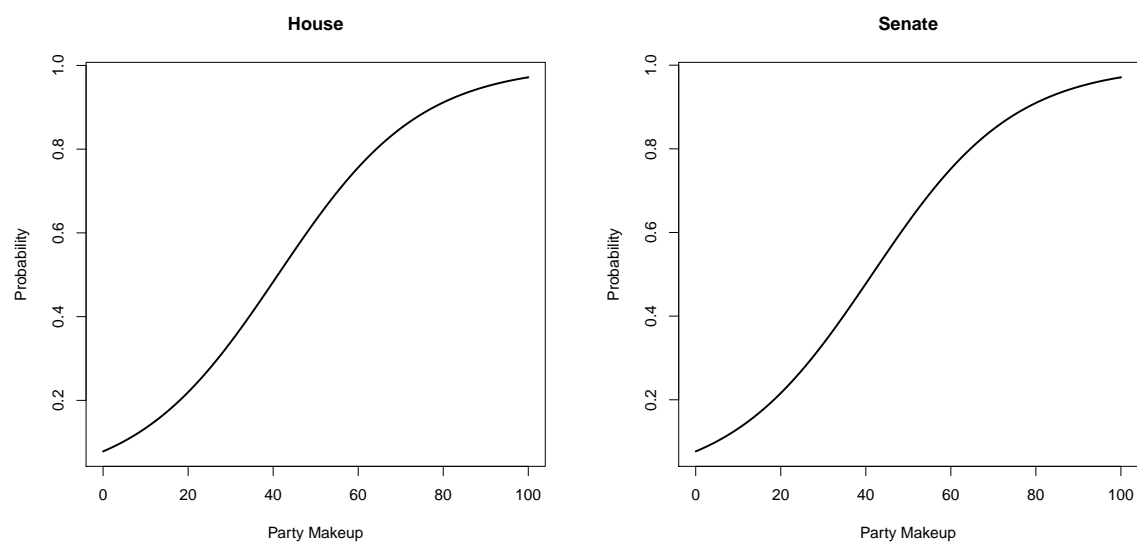
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FIGURE 5: PREDICTED PROBABILITY OF SUCCESS, GIVEN PARTY MAKEUP IN THE HOUSE AND SENATE
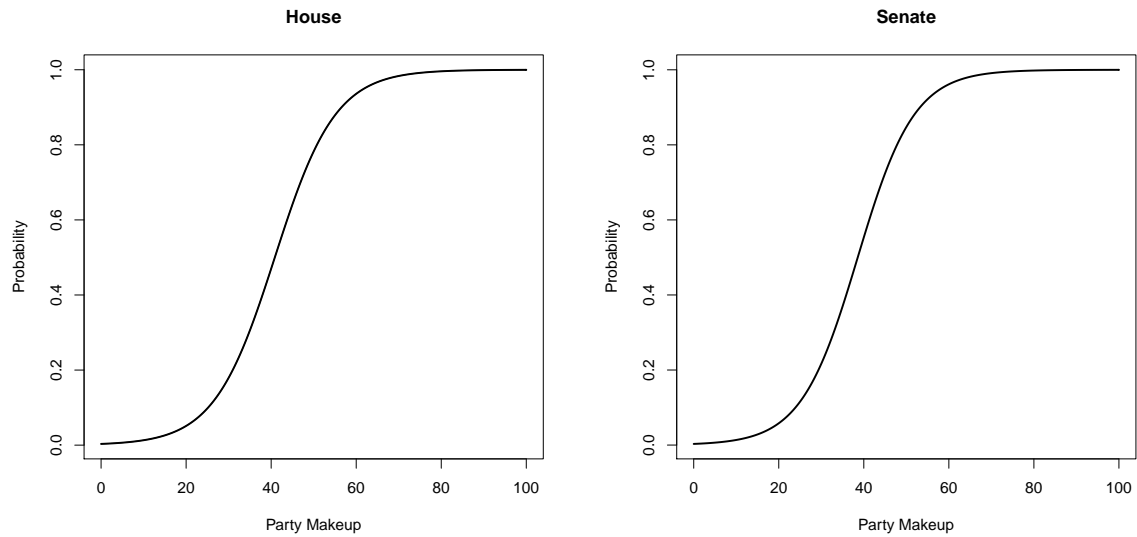
Note:
This figure shows the predicted probability of party makeup in the House and Senate on individual roll call data.

FIGURE 6: BILL LEVEL PREDICTED PROBABILITIES OF PARTY MAKEUP

Note:
This figure shows the predicted probabilities of party makeup in the House and Senate on bill level data.