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The Legislative Branch Revolves Around the White House: A Copernican Understanding of the Evolving Relationship Between the President and Congress

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The Legislative Branch Revolves Around the White House:
A Copernican Understanding of the Evolving Relationship Between the
President and Congress

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Senior Honors Thesis
Submitted: Spring 2022
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Abstract:

Executive-centered partisanship is a new scholarly idea that focuses on the growing centrality of the president in party and governmental affairs. Scholars have looked at the president's growing electoral, administrative, and organizational responsibilities to support the theory. While the evidence is compelling, there is a key aspect of our Federal government that is omitted in their theory - the president's role in Congress. In this thesis, I look at the effect that the president has on legislative voting behavior between the 107th and 116th Congresses. To analyze the data, I examine the effect of the president on Senator voting behavior in four distinct groups broken down by partisanship and electoral security. My results demonstrate that Senators are increasingly positioning themselves in relation to the president with co-partisans closely associating themselves with the president's position while out-partisans readily reject bills with presidential support. The findings highlight Congress' increased reliance on the president and suggest that to understand Senator voting behavior, we must look to the president as a critical factor.

Acknowledgments:

As a recently declared Government major at the end of my first year, I distinctly remember sifting through the course catalog trying to sign up for my Sophomore year Fall courses. While many courses in the department piqued my interest, one stood out - GO211 - The American Presidency. Looking back, I never knew one class could have such a profound effect on my college experience. Taught by Professor Nicholas Jacobs, the class opened my eyes to how scholars analyze the president. While the class was several years ago, I frequently think back to my time in GO211 just as many music lovers remember the feeling of listening to a soon-to-be favorite song for the first time.

Following the class, Professor Jacobs took me under his wing and taught me how to be a strong researcher, critical thinker, and a developing political scientist. His endless guidance and constant support have had a profound impact on my academic development. I attribute much of my scholarly growth to our hours of work on the second floor of Diamond. Thank you, Professor, for being a mentor, and more importantly, a friend.

I would also like to thank all of my professors in the Government department. Through four years, your courses and scholarship have only furthered my interest in the fields of Government and Political Science. Through each course, I have become a more well-rounded and knowledgeable young adult. I want to particularly thank Sandy Maisel, my second reader. As the professor teaching my first and last Government courses at Colby, you have seen me grow as a critical thinker, debater, and writer. As a result, I did not hesitate to ask you to be my second reader as I know you would meticulously comment and review my manuscript - pushing me, as you long have, to be the best scholar I can be. For all your support, I am so grateful.

Lastly, I would like to thank individuals outside of the Government department. To begin, I want to thank my family and friends who have long supported me through this process and college more broadly. I also want to thank my advisors, Anthony Corrado and Nikky Singh, as well as every student, faculty, staff, and administration member that has helped me through my time at Colby College. My four years on Mayflower Hill have transformed me into the person I am today and launched me to be the scholar I hope to be ahead - and for that, I am forever grateful.

Introduction:

Midway through President Obama's first term, he could finally proclaim success. After months of work, the Affordable Care Act was passed and signed into law. Outlined as a cornerstone of President Obama's agenda, healthcare reform was a legislative priority for the chief executive. Unlike his predecessors, namely Carter and Clinton, President Obama was able to usher in sweeping healthcare reform. While the Affordable Care Act (ACA) goes down as part of President Obama's legacy, the law was not initially popular among many members of the Democratic leadership in Congress. As Senator Schumer later claimed, healthcare hurt the Democrats' chances of reelection and alienated them from the electorate.¹ The New York Senator retrospectively was so against the bill that he said that Democrats, "put all of our focus on the wrong problem — health-care reform."² As the ACA made its way through Congress, President Obama took a hands-on approach and supported the bill along every step. While presidents frequently outline their agenda and hope Congress passes their legislation, President Obama took a more involved approach by working on behalf of the ACA as if it was his presidential burden. Through the process, President Obama frequently spoke on behalf of the bill - at one point, hosting a summit with Republican Congressional members to garner support. While frequent speeches may have seemed out of place given traditional understandings of how the president and Congress interact, he went further and used carrot-and-stick tactics to garner support for the bill.³ The president's role was so visible that the bill would be known as "Obamacare."

¹ Sean Sullivan. "Schumer: Democrats 'Blew' Opportunity by Focusing on 'Wrong Problem' - Health Care." *The Washington Post*. WP Company, November 26, 2021.
<https://www.washingtonpost.com/news/post-politics/wp/2014/11/25/schumer-democrats-blew-opportunity-by-focusing-on-wrong-problem-of-health-care/>.

² Ibid.

³ Morton Keller. *The Unbearable Heaviness of Governing: The Obama Administration in Historical Perspective*. Stanford, CA: Hoover Institution Press, 2010.

Presidents have the ability to set the agenda and use the veto power. Outside of the two aforementioned abilities, scholars have mainly understood the president's role in Congressional matters, particularly the lawmaking process, to be limited. President Franklin D. Roosevelt, championed for his legislative success, used his limited role to usher in great change but was frequently at odds with a unified Congress as he used vetoed more than any other president in history - an indicator that he was still beholden to Congress.⁴ President Obama's direct, hands-on approach in passing the ACA made the legislation personal and tied its success with his own.

While presidents are not often thought of as steering legislation into law, we see President Trump, just like Obama, take a hands-on approach to pass the Tax Cut and Jobs Act (TCJA). One of the few legislative victories for the Trump administration, the TCJA, was a White House-led initiative that made good on campaign promises. Though tax cuts have long been a staple policy of the Republican party, the TCJA was different as it did not trickle down wealth, as past Republican tax cuts had intended, but rather, solely benefited large corporations.⁵ The limited benefits to middle-class Americans did not phase President Trump as he actively championed the tax cuts to his constituents.⁶ Even concerns about the bill from Republican Senators Rubio and Corker did not create much pause as Republicans, including Rubio and Corker, passed the TCJA with a narrow partisan margin of 51-49 in the Senate.⁷ While President Trump and fellow Republicans could tout their legislative victory, the bill's passage again

⁴ United States Senate. "Vetoed, 1789 to Present." *U.S. Senate*. August 4, 2021.
<https://www.senate.gov/legislative/vetoed/vetoCounts.htm>.

⁵ Galen Hendricks, Seth Hanlon, and Michael Madowitz. 2019. "Trump's Corporate Tax Cut Is Not Trickling Down." *Center for American Progress*. September 26, 2019.
<https://www.americanprogress.org/issues/economy/news/2019/09/26/475083/trumps-corporate-tax-cut-not-trickling/>.

⁶ Laura Ellyn Smith. "Trump and Congress." *Taylor & Francis*, April 2021.
<https://www.tandfonline.com/doi/full/10.1080/01442872.2021.1955849?scroll=top&needAccess=true>.

⁷ Ibid.

showed the president involving himself deeper in the legislative process than one would expect. President Trump and the White House tied their success with the passage of the TCJA.

Some may say that President Obama's involvement in passing the ACA or President Trump's persistence with the TCJA are isolated incidents in American politics. However, could their involvement in the ACA and TCJA symbolize a change in how we should understand the president's role in the lawmaking process? In this thesis, I argue that the two case studies may be emblematic of a larger change that is taking place in American politics. Traditionally, scholars describe the president as playing a limited role in the lawmaking process. Congressional members, as described by the literature, are most concerned with reelection, policymaking, their party, and amassing power in Congress.⁸ The president's role is often omitted or dismissed as being limited. However, this perspective clashes with recently emerging presidential scholarship. Presidential scholars have advanced the idea that parties are relying on the president to guide their partisan and political agendas. Scholars attribute the growing power to increased demands placed on the Federal government coupled with the partisan desire for a central figure to create a cohesive identity. One partisan role long belonging to the president has been the ability to agenda-setting. While presidents have and continue to use the agenda-setting power, I argue that there has been a shift in its effect. Presidential legislative agendas today are received by Congress as being their mandate, rather than a series of suggestions and ideas. Presidents today are looked to as leaders of the party by Congressional members and thus, their agendas are becoming synonymous with the party's agenda.

To explore the new dynamic between the president and Congress, this thesis sets out to explore the effect that presidents have on a Congressional member's voting behavior. I create two variables - an agreement with the president score and a predicted agreement with the

⁸ Richard F. Fenno Jr., *Congressmen in Committees*. Little, Brown. 1973.

president score for each Senator. To create a proxy for how a president would have voted, I look at two categories - votes taken on bills with Office of Management and Budget Statement of Administration Policy statements and votes on presidential nominees. Comparing the president's proxy votes with a Senator's votes allows us to see a Senator's level of agreement with the president. To create the predicted score, I use Senator roll vote data and combine it with recent Senator and presidential electoral vote data to estimate how often a Senator should agree with the president. Using the two variables, this thesis advances two hypotheses aimed at better understanding the president's relationship with Congress.

First, I hypothesize that co-partisans who are electorally-secure will vote with the president at a higher rate than co-partisans who are electorally-vulnerable. Meanwhile, electorally-vulnerable out-partisans should more readily reject the president's position. To define Senators who are electorally secure and vulnerable in my model, I use the most recent electoral data for Senators and examine their margin of victory against the runner-up. Using the data, I construct a model that uses the 25th and 75th percentile margin of victory values as my two points of comparison (vulnerable and secure).

My second hypothesis explores the rate at which co-partisans vote with the president and out-partisans vote against the president through the 21st century. If presidents are playing a more significant role, then both co- and out- partisans should have a strong reaction evident in their voting record. To analyze the hypothesis, I examine the agreement levels with the president and compare them with the predicted values. If my hypothesis is correct, then the average co-partisan agreement value should be greater than the predicted value and the difference between the two values should be increasing. Among out-partisans, it should be expected that

their level of agreement with the president should be less than the predicted value and decreasing with every Congress.

The role of President Obama and President Trump in the legislative process has highlighted a fundamental shift in how the president interacts with Congress. This thesis interrogates how the ACA and TCJA may be emblematic of a larger shift in American politics. If presidents are playing a more significant role in the legislative process, core American values such as fair representation and guaranteed deliberation may be at stake. While presidents intend to create good policy for the nation, the president, as the leader of his party, will prioritize partisan interests first. The inability of Congressional members to make meaningful progress without the approval of the president would indicate an erosion of just representation in government. Additionally, if the president's policy agenda is synonymous with the agenda of his party, then he systematically removes deliberation from the lawmaking process. Deliberation should remain a core tenet of our democracy, but presidential action may be putting its place in our institutions at risk.

Literature Review:

The lawmaking process is understood as being collaborative by nature. Scholars often discuss Congress as being in a constant struggle between the majority party attempting to accomplish partisan goals and needing to work in a bipartisan manner. Though left out of the conversation is the role that the president plays in the legislative process. The president is associated with leading the nation, but his role as a legislator is often oversimplified because the president has a limited set of formal roles as a legislator.

And yet, the president, as an institution, has become more powerful over the 20th century. One of the key evolutions has been an expansion upon an already existing presidential power - the ability to agenda-setting. While the president has always set the agenda, this paper contends

that co-partisan Senators are looking at the president's agenda as a mandate rather than an institutionally-formalized suggestion. Likewise, out-partisans are looking toward the president and his agenda to better understand their own position. While some may see the phenomenon as partisan polarization, I contend that it is not driven by partisanship, but rather, by the growing role of the president. Thus, as this thesis hypothesizes, Senators' voting behavior has become more dependent on the president's position as the president has become more central in party politics. This thesis argues that the president's effect on the legislative branch has become more important than prior scholarly research contends. Over the last 20 years, presidents have emerged to play an active role throughout the entire legislative process rather than just the beginning and end of a bill's life as many scholars would claim. Consequently, this development has caused greater cross-institution collaboration, but it has also widened partisan divides within Congress.

Understanding Congressional Voting Behavior:

To begin, Congress is an amalgamation of members who represent a variety of opinions, constituencies, and special interests. Individuals from all fifty states converge to discuss national policies with their agendas in mind. Therefore, scholars have traditionally understood Members of Congress (MCs) as being individualistic in their roles. The reason why consensus in Congress has been understood to be difficult is that the political calculations made by each individual are unique. Each MC is focused first and foremost on reelection. The two other considerations that occupy a legislator's mind are creating good public policy and gaining influence within Congress - both of which contribute significantly to a reelection campaign.⁹ Each legislator's path to maximizing reelection, creating good public policy, and gaining influence in Congress differs, thus, the votes cast are always meant to generate the most positive impact for the MC. While the

⁹ Richard F. Fenno Jr., *Congressmen in Committees*.

variables that are being weighed by MCs may be the same, the reasoning behind each vote is individualized. Indeed, MCs are more satisfied with making strong judgemental statements that appeal to their constituency than creating policies that better the country at large.¹⁰ The considerations taken by each member of Congress are individualistic and meant to directly benefit the MC.

While the traditional understanding of MCs offers a framework for analyzing voting behavior, I believe that the understanding is incomplete as recent scholarship has demonstrated additional considerations that are important to weigh. Though the traditional pressures highlighted by scholars remain, they exist alongside other recently understood phenomena that have been written about by contemporary Congressional scholars. Additionally, the development of a more powerful and partisan president has challenged institutional bounds and our understanding of his relationship with Congress. The next steps to developing a more complete understanding require a conceptualization of the dynamics surrounding parties and most importantly, the president.

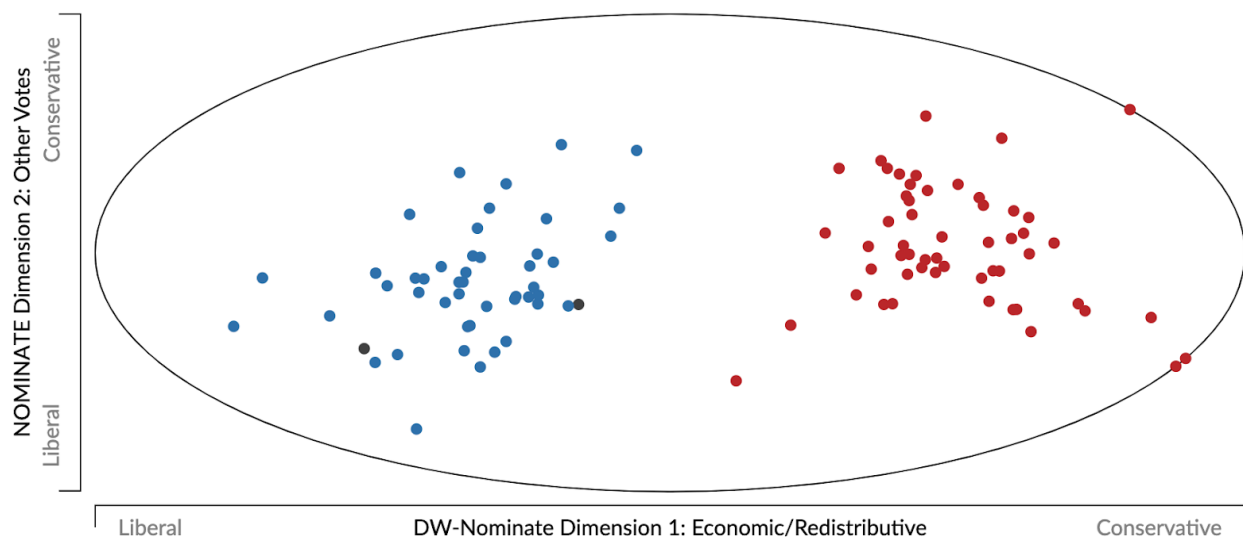
Contemporary Developments in Congress

Fenno and fellow scholars developed an understanding of Congressional behavior centered around basic pressures - creating good policy, amassing power in Congress, and getting reelected. However, more recent scholarship adds complexity to the traditional Congressional understanding by discussing an additional consideration affecting MC voting. One phenomenon placing pressure on an MCs voting behavior is the influence of parties. Parties act as powerful institutional forces that can pressure how an MC votes, and thus, must be seen as a factor when attempting to understand MC voting behavior. In fact, parties have become such strong forces that they transcend institutional bounds and Constitutional checks and balances. Both elected

¹⁰ David R. Mayhew. *Congress: The Electoral Connection*. Yale University Press, 2004.

and appointed officials are uniting closely to their respective parties - essentially tearing down Constitutionally mandated branch divisions. Though the parties, primarily Democrat and Republican, have existed for decades, the relative strength wielded by parties has increased.¹¹ MCs embrace parties because of a unique set of benefits gained by being a member - perhaps none is more significant than electoral security. Parties help MCs secure electoral wins through a variety of methods, one being the use of pork-barrel politics to secure benefits for the MC's respective state.¹² In turn, the MC is more likely to be reelected as their constituents are able to see the benefits. The rewards stemming from party membership are so beneficial that MCs give up electoral autonomy in favor of taking partisan stances on policies.¹³

Diagram 1



Through examining the DW-Nominate scores, the effect of parties on specific MCs and Congress as a whole can be visualized. DW-Nominate scores are measures based on an MC's votes. The value of the variable is based on an MC's voting record in two major segments - economic votes and other votes. Looking at the most recent complete Congress, the 116th

¹¹ Marjorie Hershey. *Party Politics in America*. Pearson Longman, 2005. 261.

¹² John Herbert Aldrich. *Why Parties?: A Second Look*. University of Chicago Press, 2011.

¹³ Ibid.

Congress, one can observe a stark divide between Republicans (represented in red) and Democrats (represented in blue).¹⁴ While each MC has unique considerations based on their constituencies, opinions, and special interests, parties have a strong uniting power. While the factors presented by Fenno and others provided a strong baseline for understanding Congressional voting behavior, the added complexity of parties helps scholars understand MC voting behavior.

Parties in Congress have become a strong and persistent institution that adds pressure to MCs as they vote on various pieces of legislation. While some scholars undermine its importance, Binder and others make an effort to note the effect of partisanship in Congress going back well into the 20th century.¹⁵ While my model will examine the 21st century, partisan impact in the 20th century should highlight that the importance of partisanship is not the driver for any changes observed, but rather the change in the power of the president as the driver for the following data. MCs are concerned with maximizing reelection, creating good public policy, and gaining influence in Congress, as well as maintaining positive party relations. Particularly on close votes, the effect of parties on MCs is amplified.¹⁶ However, parties have broken down barriers between priorly constructed institutions in the US government - as this thesis will argue, the most significant being the barrier between the president and Congress. As a result of the president's growing role in parties, and parties simultaneous growth in Congress, this thesis contends that the president is affecting votes and the lawmaking process more broadly.

¹⁴ UCLA Political Science Department. *Voteview*, <https://voteview.com/congress/senate>.

¹⁵ Sarah A. Binder, Eric D. Lawrence, and Forrest Maltzman. "Uncovering the Hidden Effect of Party." *The Journal of Politics* 61, no. 3 (1999): 815–31. <https://doi.org/10.2307/2647830>.

¹⁶ Stephen Ansolabehere, James M. Snyder, and Charles Stewart. "The Effects of Party and Preferences on Congressional Roll-Call Voting." *Legislative Studies Quarterly* 26, no. 4 (2001): 533–72. <https://doi.org/10.2307/440269>.

Summary of Congressional Literature and Emergence of the Executive Problem

In summation of the aforementioned literature presented on Congress, MCs are concerned with maximizing four forces - reelection, creating good policy, gaining power in Congress, and maintaining loyalty to one's party. While the literature provides a well-rounded understanding of MC behavior, the role of the president is largely omitted. Over the past 20 years, the president has centered himself in party politics and has a hand in nearly all federal government matters. One should wonder how the president's growing partisan role affects Congressional behavior. While the roles of each branch are clearly defined, I argue that presidents have been increasing their influence on Congress. Sarah Binder contends that parties have helped to remove the separation between institutions such as the president and Congress - allowing them to work closer together.¹⁷ While removing institutional barriers should enhance collaboration, it does not. Rather, the president uses his growing connection with Congress to advance his personal policy agenda through the legislative branch. While MCs share electoral and policy interests with the president, the unilateral authority exercised by the president diminishes the importance of Congress. Though Congress has been tasked with the lawmaking process, the growing role of parties has allowed the president to play a critical role in the process.

The President and His Legislative Power:

Our traditional understanding underlying Congressional voting behavior was situated around pressures faced by MCs from their constituency, personal desire, and partisan goals. Though the effect of the president on Congress is not as deeply understood. Most literature analyzing the legislative process discusses the president through his role as an agenda-setter and

¹⁷ Sarah A. Binder. *Stalemate: Causes and Consequences of Legislative Gridlock*. Brookings Institution Press, 2003.

his veto power. Paul Light, in writing The President's Agenda, discusses the presidency through successes and failures in regards to the agenda-setting power.¹⁸ However, Light's understanding of the president is not insulated from the arguments of other scholars. James Pfiffner describes the president as having a mandate to set the agenda and lead.¹⁹ John Kessel writes about the president's relationship with Congress as one where he works collaboratively with Congressional leaders - while still holding the veto as a trump card to send a message.²⁰ The authors write about the president in relation to their agenda-setting and veto power, yet the president has become more than a two-dimensional persona. The role of presidents in the legislative process has grown as a result of his growing partisan power to allow the president to dictate MC voting behavior.

The Informal Power of Persuasion

Presidents have long had the ability to use their position in an effort to persuade MCs. While the pressure has been informal in nature, the president is able to persuade MCs because of his unique position as he is solely able to advocate on behalf of all Americans. In other words, the president has the mandate to lead on behalf of all Americans. Members of Congress work to represent a certain group, set of interests, and ideals, while the president has a duty to the entirety of the American people. Though presidents have limited formal roles in the legislative process, the president has large incentives for his legislative initiatives to succeed - a potential rationale for growing presidential involvement in the lawmaking process.²¹ The power to persuade is informal in nature, however, Richard Neustadt describes the ability as a way for the president to

¹⁸ Paul C. Light. *The President's Agenda: Domestic Policy Choice from Kennedy to Clinton*. Baltimore, MD: Johns Hopkins University Press, 1999.

¹⁹ James P. Pfiffner. *The Strategic Presidency: Hitting the Ground Running*. Lawrence, KS: University Press of Kansas, 1996.

²⁰ John H Kessel. *Presidents, the Presidency, and the Political Environment*. Washington, DC: CQ Press, 2001.

²¹ Terry M. Moe, and Scott A. Wilson. "Presidents and the Politics of Structure." *Law and Contemporary Problems*, 57 (2), 1-44. 1994.

affect governmental outcomes beyond a president's originally-intended authority.²² Though the authority of the president seems constrained by the Constitution, the power to persuade, as conceptualized by Neustadt, demonstrates how the president can extend his authority beyond traditionally understood limits. George Edwards, in writing about the president's amassing of power, describes presidential prestige as being a new tool to help yield authority over those in the House.²³ However, the power to persuade described by Neustadt was an attempt to change the minds of others - particularly MCs. While Neustadt was right in saying that presidents actively try to change the minds of MCs, I believe the role of the president is stronger - the president's power has become more direct as MCs vote on specific pieces of legislation. Whereas Neustadt may have been correct in his mid-20th century evaluation of the relationship between the president and Congress, I conceptualize the relationship between the two institutions differently in the 21st century. Presidents still have the ability to agenda set and can work to persuade MCs, however, the significant change is the growing centrality of the president. I believe that presidents have been more integral with partisan and governmental affairs, and thus, the president's legislative agenda is becoming synonymous with his party's agenda. This thesis argues that MCs from both parties are looking to the president today to better understand their own position on pieces of legislation. The president is no longer needing to use his power to persuade, rather, MCs are forced to position themselves in relation to the president. Congress "is ... a party institution, and we can count on a few votes by bringing out the party standard."²⁴ In the past, the two branches of government may have been seen as more equal, and thus, presidents may have been listened to as a result of the position's inherent prestige. However, today, MCs

²² Richard E. Neustadt. *Presidential Power and the Modern Presidents: The Politics of Leadership from Roosevelt to Reagan*. The Free Press, 1991.

²³ George C. Edwards. "Presidential Influence in the House: Presidential Prestige as a Source of Presidential Power." *American Political Science Review* 70, no. 1 (1976): 101-13.

²⁴ Paul C. Light. *The President's Agenda: Domestic Policy Choice from Kennedy to Clinton*. 27.

are all but forced to follow the president. The change in the president's authority, particularly in partisan politics, has shifted how MCs collaborate with the president. As a result, this thesis later explores how a president's changing role in party politics has affected the way in which co- and out- partisans vote.

The relationship between the president and Congress has changed as a result of the growing authority of the president. Today, the president and Congress are both working to advance legislative initiatives. Whereas presidents used to participate at the beginning and end of a bill's life, today, they take an active role in guiding the piece of legislation through Congress. The president is able to take a more active role in the legislative process because of his growing role in partisan politics. Unlike Members of Congress, the president has a higher authority as he can be the voice of the American people. While Neustadt describes the power to persuade as the president having the ability to influence government functions outside his control, such as many aspects of the legislative process, Neustadt did not account for the evolution in the party and presidency that have been occurring. MCs today position themselves in relation to the president to maximize their individualistic benefits. As mentioned by Congressional scholars, MCs base their voting decisions on a variety of factors, namely maximizing their chances at reelection. As a result of the increased partisan and governmental role of the president, MCs are forced to look to the president because partisans positioning themselves accordingly with the president helps to maximize reelection chances. As presidents have emerged as leaders of parties, the merged agenda of the president and party has made the effect of the president stronger on MCs. Contemporary presidents have an unparalleled ability to mobilize Congress to do their bidding - yet it has been often omitted from our past

understanding.²⁵ While presidents have long tried to influence Congress, presidential literature suggests that the president is playing a more central role in party politics today.²⁶ As a result, I hope to examine how the president's growing authority affects both co- and out-partisan MCs in regards to their voting behavior.

While the president has always had personal legislative goals, the president's growing role in party politics has allowed him to synonymize his goals with that of the party. By using his growing authority, the president, today, is able to rally Congress to advance his legislative goals.²⁷

Though not all scholars understand the president's growing authority to be so broad. Kriner and Reeves describe the president as needing to, "rely heavily on their partisan base for support ... in the legislature".²⁸ The authors describe the president's relationship with his party as one of reliance - where the president is seeking MC support. I believe that the authors mischaracterize the relationship between the president and his party. Rather than the president relying on the party for support, I argue that an opposite phenomenon occurs. Parties look to the president to dictate party doctrine.²⁹ Presidents, in my understanding, are not seeking cooperation or support from fellow party members, but expect co-partisan MCs to support their agenda - removing an MC's individualistic tendencies.

²⁵ Matthew N. Beckmann. *Pushing the Agenda: Presidential Leadership in U.S. Lawmaking, 1953-2004*. New York, NY: Cambridge University Press, 2010.

²⁶ Anita Pritchard. "Presidents Do Influence Voting in the U. S. Congress: New Definitions and Measurements." *Legislative Studies Quarterly* 8, no. 4 (1983): 691-711. <https://doi.org/10.2307/439706>.

²⁷ Matthew Beckmann & Vimal Kumar. "How presidents push, when presidents win: A model of positive presidential power in US lawmaking." *Journal of Theoretical Politics*. 2011.

²⁸ Andrew Reeves, and Douglas Kriner. *The Particularistic President Executive Branch Politics and Political Inequality*. Cambridge University Press, 2015. 24.

²⁹ Brandice Canes-Wrone. *Who Leads Whom?: Presidents, Policy, and the Public*. Chicago, IL: University of Chicago Press, 2006.

Growing Centrality of the President

I argue that MCs and other partisan actors are looking toward the president's position in an effort to define their own. While recent literature demonstrates the growing role of parties, presidents have simultaneously had an evolving role within parties. Presidents have become more central in partisan politics - a phenomenon known as Executive-Centered Partisanship (ECP). As conceptualized by Jacobs and Milkis, ECP is a theory that explains key changes in the evolving role of the president within parties. Parties are becoming more reliant on presidents in an effort to advance partisan goals. Examples outlined by Jacobs and Milkis include the president's growing ability to, "pronounce party doctrine, raise campaign funds, campaign on behalf of their partisan brethren, mobilize grassroots support, and advance party programs".³⁰ Jacobs and Milkis, in explaining the emerging phenomenon, ECP, highlight the systematic growth of presidential power. Driving ECP has been years of governmental and partisan shifts. In the 1930s, amid a time of economic crisis, the role of government grew as FDR ushered in the New Deal. While presidents were important to the governmental structure of the early 20th century, a second major change occurred that situated presidents as the center of parties. In the 1960s, the question about the role of government had been answered, however, the institution best equipped to carry out the role shifted. Whereas Congress used to be the driving force for legislation and change, the 1960s brought about the rise of the administrative president.³¹ Extending to the present day, the president is seen as being the institutional actor most able to make national change. While Jacobs and Milkis discuss why the president has amassed power and the growing influence of the Presidency, their explanations have conceptual limits. The authors describe the president's effects on partisan, electoral, and administrative politics.

³⁰ Sidney M. Milkis. and Nicholas Jacobs. "'I Alone Can Fix It' Donald Trump, the Administrative Presidency, and Hazards of Executive-Centered Partisanship" *The Forum*, vol. 15, no. 3, 2017, pp. 583-613.

³¹ Ibid.

However, they fall short in offering a complete understanding of the effects of ECP. Through administrative, organizational, and electoral examples, Jacobs and Milkis demonstrate the growing centrality of the president. Though, if the role of presidents has changed as the authors describe, then there should be a change in the president's legislative role. By examining the organizational and administrative elements of ECP, one can conclude that the president's role is growing. However, the authors stop short of explaining how the growing role of the president increases his ability to dictate legislative behavior.

While Jacobs and Milkis' work gives a strong understanding of growing presidential power, Gary Jacobson adds further insight. He is most concerned with how the president and the partisan elites are perceived by the mass electorate. In writing, he states that "feelings about presidential candidates and presidents strongly influence feelings about their parties".³² Presidents play an active role in helping co-partisans win reelection and presidential success is increasingly associated with the party's success in the voters' minds. The success of parties in the White House has become synonymous with partisan electoral success more broadly.³³ While my paper focuses on the federal government, it is important to note that presidential success is so strong that it has an active effect on state legislative elections.³⁴ While Jacobson does not explore the legislative role of the president, using his electoral and voter-based data, he argues that the president has become a more important partisan actor. As further data indicates, President Obama's 2012 electoral victory was led by strong Democratic support which carried over to Senate and House elections.³⁵ While presidential success has long been shown to have an effect on other electoral results, the phenomenon has been strengthening as partisanship has

³² Gary C. Jacobson. *Presidents and Parties in the Public Mind*. The University of Chicago Press, 2019. 29.

³³ Alan I. Abramowitz. "Economic Conditions, Presidential Popularity, and Voting Behavior in Midterm Congressional Elections." *The Journal of Politics* 47, no. 1 (1985): 31–43.

³⁴ James E. Campbell. "Presidential Coattails and Midterm Losses in State Legislative Elections." *The American Political Science Review* 80, no. 1 (1986): 45–63. <https://doi.org/10.2307/1957083>.

³⁵ Gary Jacobson. "Barack Obama and the nationalization of electoral politics in 2012". *Electoral Studies*, 2014.

continued to grow in importance. One aspect omitted from the scholarly understanding of the president's electoral importance is how it manifests itself past the elections. I argue that the president is not only critical to parties during electoral periods, but is integral in every aspect of party politics - including the legislative process. As a result, I believe that MCs use the president as a marker for themselves in the legislative process.

Ultimately, the culmination of the literature surrounding Congress, the president, and their growing interdependence raises an empirical question. If presidents have become more powerful in the 21st century, how might the relationship between the president and Congress change, and has the president's role in the legislative process grown? This paper explores how the president's growing role has altered his ability to affect the legislative process.

Offering Hypotheses:

H1. Individual Congress Hypothesis: *In relation to their predicted level of agreement, electorally-secure co-partisan Senators will vote with the president at a higher rate than electorally-vulnerable co-partisans. Meanwhile, electorally-vulnerable out-partisans will vote with the president at a lower rate than electorally-secure out-partisans.*

Prior Congressional literature highlights a variety of pressures affecting MCs that can help explain Congressional voting behavior. As mentioned previously, the literature suggests Senators vote after weighing a legislation's effect on reelection, gaining power in Congress, and passing good public policy. Further Congressional literature demonstrates the importance of parties as being an additional pressure on MCs as they vote. However, in developing an understanding of MC voting behavior, the role of the president has been described in a limited way. I argue that the role of the president is significant and has a growing effect on Congressional voting behavior. Parties have become more influential in dictating Congressional

voting behavior, while simultaneously, the president has become more central in party politics. As the leader of the party, the hypothesis explores the degree to which MCs vote with the president based on their partisan identity and electoral security. I believe that electorally-secure co-partisan MCs should vote with the president at a higher rate than electorally-vulnerable co-partisan MCs in relation to their predicted values. The MCs who are most secure in their position should agree with the president at the highest rate as they don't have to be as receptive to their constituencies - as the electoral threat is less significant. The electorally-secure co-partisan MCs would, therefore, vote with the president at a higher rate as his/the party's agenda would be the priority for the MC. Conversely, due to the president's role as the predominant party leader, electorally-vulnerable out-partisans should vote with the president at a lower rate than their electorally-secure counterparts. Electorally-vulnerable MCs want to create distance between themselves and the president in an effort to appeal to their constituency to secure votes. Therefore, a strong rejection of the president would be the clearest way to do so.

H2. Time Series Hypothesis: *Through the 21st century, in relation to their expected level of agreement, the rate at which co-partisans vote with the president should be increasing. Meanwhile, out-partisans should vote against the president at increasing rates.*

In the second hypothesis, I aim to examine the effect of the president's growing centrality in party politics on a Senator's legislative voting behavior. If the president's role in partisan politics is becoming more significant, then co- and out- partisans should be situating themselves in relation to the president. In my model, I generate a predicted level of agreement with the president variable for each Senator. By examining the difference between a Senator's actual and predicted level of agreement with the president, my data can understand if Senators position themselves in relation to the president and to what degree the phenomenon occurs. I would

expect that co-partisan MCs would vote with the president at an increasingly higher rate and out-partisan MCs would have a decreasing level of agreement with the president's position in relation to their predicted value. If the time series hypothesis holds, then it would suggest that the president's effect on legislative voting behavior is becoming more significant.

Methodology:

Dependent Variable: Agreement with the President:

The president plays a formal role in the legislative process. As the chief executive, the president has been known for his role of setting the agenda for Congress and his ability to veto a bill. While the role of the president in the lawmaking process was thought to be well understood, the recent increase in the president's partisan and governmental duties has brought about new legislative authority for the president. Through the Office of Management and Budget (OMB), the president and his administration share press releases on bills going through the legislative process. The OMB press releases are categorized as Statements of Administration Policy (SAPs) and they have helped the president play an institutional role in the legislative process for decades. The SAPs allow the president to convey his opinion on a given bill and, oftentimes, indicate if he would support or reject the bill if it is presented to his office following House and Senate passage. In addition to being an indicator of the president's position, SAPs act as a proxy for the president's vote had he been tasked with voting on a specific piece of legislation in Congress. In this thesis, I use SAPs as a proxy for presidential votes because, over a given Congress, they can culminate to create a president's voting record. Understanding how a president would have voted is important because we can create a model to compare a Senator's voting behavior with the president.

In collecting the SAP data, the overarching goal was to amplify instances when the president took a position on bills before they came to his desk.³⁶ It is important to amplify the president's voice because while Senators take a seemingly endless amount of positions on a variety of issues, the presidents share their positions on bills in a more limited way. Thus, I used data from the 107-116 Congress to create a two-wave method for collecting presidential positions on bills based on SAPs. The first wave of data that I collected was on bills with SAP statements that went up for final passage. By final passage, I refer to bills that had a vote question presented to the Senate that was regarding the passage of the bill or regarding the adoption of the presented resolution (concurrent, joint, general). For each bill in which the president made an SAP statement, his position was collected. Of the SAPs written, about half were written about bills that went up for final passage. While the first sweep collected a substantial amount of data, an additional sweep was necessary to further amplify the president's position on bills.

The second sweep collected data on bills that did not go up for final passage but were debated and voted on in a significant manner on the Senate floor. To create a criteria for my second sweep, I define bills as being debated in a significant manner, not by the substance of the conversations held regarding the bill, but by the types of votes occurring on the piece of legislation. Just as in the initial sweep, the president must take a clear position in the SAP statement. Additionally, the bill had to have gone up for a vote in one of the following categories: on overriding veto; on cloture motion; on conference report; on the motion; on the

³⁶ SAP data collected through The American Presidency Project. John Woolley and Gerhard Peters. "OMB: Statements of Administration Policy: The American Presidency Project." *The American Presidency Project*, 2021.
https://www.presidency.ucsb.edu/documents/app-attributes/omb-statements-administration-policy?items_per_page=40&page=3.

motion to proceed; on the motion to table. Bills voted on using one of the aforementioned questions would act as a good proxy for a Senator's position on the bill.

In addition to the use of SAPs to develop a proxy for how the president would have voted, I used a third wave of data separate from SAP data. The third wave included all presidential nominations in a given Congress.³⁷ For all nominees put forth, I assumed that the president supported all individuals that he put up for Senate confirmation. The logic for including presidential nominations stems from Aaron Bycoffe's work with developing the Trump Score.³⁸ If the president puts an individual up for nomination, it should be assumed that the president, in turn, fully supports the nominee. Had the president not supported the nominee, he would not have chosen to nominate the individual. By including nominees in the development of my presidential proxy measure, the data further amplify the president's position on votes occurring in a given Congress. Thus, the addition of the nominee data should strengthen the presidential vote proxy data as I gain a significant number of observations in each Congress.

Using the three sweeps of data collection (SAP final passage votes, SAP non-final passage votes, nominee votes), I created a variable that examines a Senator's level of agreement with the president. To do so, each SAP statement bill or nominee confirmation had an associated roll vote number. For bills with final passage votes and an associated SAP, the final passage roll vote was used. For the non-final passage bill votes with SAPs, the vote (fitting the criteria above) occurring most proximate following the release of the SAP statement was used. For the nominee vote, the roll vote associated with the confirmation was used. Using the roll vote, each presidential proxy vote can be associated with the Senate's voting record using data provided by

³⁷ Nomination Votes were identified using - Jeffrey B. Lewis, Keith Poole, Howard Rosenthal, Adam Boche, Aaron Rudkin, and Luke Sonnet. *Voteview: Congressional Roll-Call Votes Database*. <https://voteview.com/>. 2022

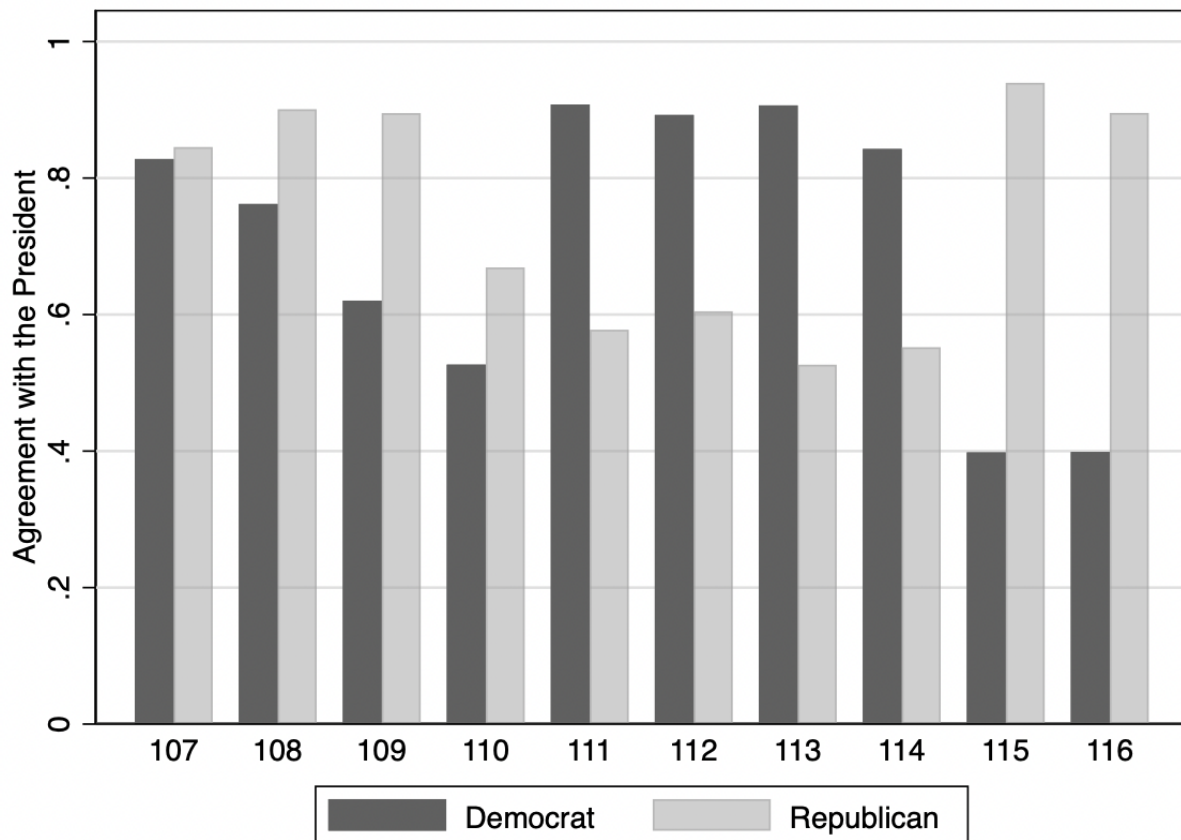
³⁸ Aaron Bycoffe. "Introducing the Trump Score." *FiveThirtyEight*, FiveThirtyEight, 30 Jan. 2017, <https://fivethirtyeight.com/features/introducing-the-trump-score/>.

Voteview.³⁹ Thus, for each Congress, the presidential proxy vote can be compared with Senate vote data.

Following data collection, I generated a variable that examined a Senator's level of agreement with the president. To do so, each Congress (107-116) was isolated so a Senator's level of agreement with the president is measured every two years. To construct the level of agreement variable, the number of times a Senator agrees with the president's position is summed up and then divided by the total number of votes taken by the Senator on bills with a presidential proxy vote. The result is a percentage which explains, of the roll votes taken with a presidential position, how often a given Senator voted with the president. Going forward, the variable consisting of the percent agreement with the president for a Senator in a given Congress is going to be referred to as the actual level of agreement. To illustrate a Senator's actual level of agreement with the president, reference graph 1.1 which shows Senator level of agreement through Congresses 107-116 broken down by partisanship.

³⁹ Roll votes were collected using - Jeffrey B. Lewis, Keith Poole, Howard Rosenthal, Adam Boche, Aaron Rudkin, and Luke Sonnet. *Voteview: Congressional Roll-Call Votes Database*.

Graph 1.1



While the actual level of agreement data gives insight into the relationship between the president and Senate, I am concerned with how the relationship has changed. The next step in developing my dependent variable was to generate a predicted level of agreement with the president for each Senator. To do so, I used electoral results from the president's and Senator's most recent elections.⁴⁰ By comparing the performance of the president and a Senator we can understand how they compare with one another. The comparative data allowed me to create a variable that takes the difference between the two electoral vote shares. The electoral difference can then be used to create a predicted value for a Senator's level of agreement with the president.

⁴⁰ Electoral data collected using - David Leip. *Dave Leip's Atlas of U.S. Presidential Elections*. <http://uselectionatlas.org> (2022).

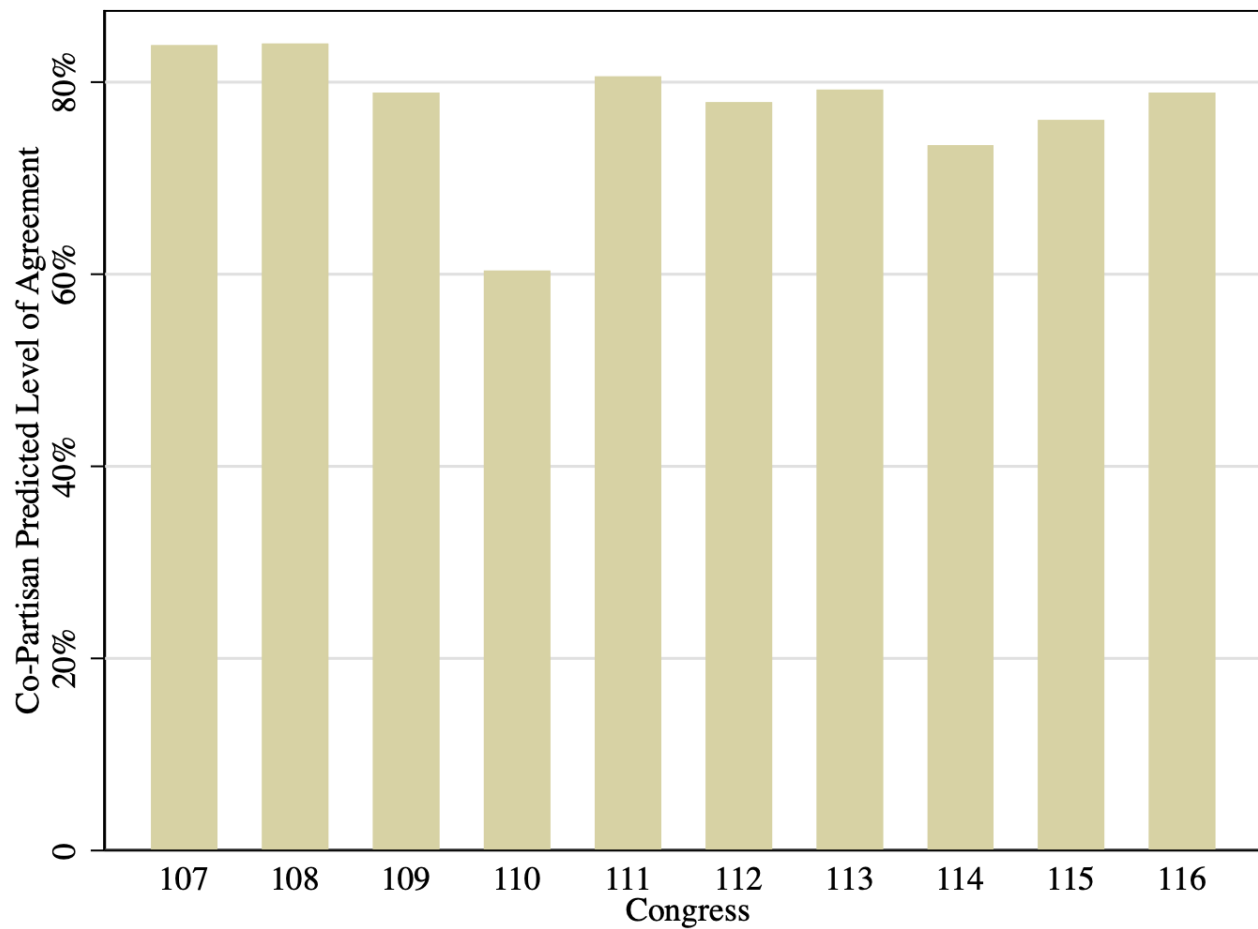
Vote share data is an accurate indicator of how broad a president and Senator's support is in a specific state. In each Congress, a predicted model was created using the electoral vote share data. Each president and Senator had unique values based on the recent electoral performance in their state. For each Congress, the predicted model merged the electoral data for the president and Senators at the state level with roll vote data to generate a predicted level of agreement. In other words, in a given Congress, my model could use Senator's electoral performance in a given state and associate it with a predicted level of agreement with the president.

Creating a predicted model based on prior electoral results allows my model to use the most proximate data to understand how Senators were perceived by their constituents. In crafting my predicted level of agreement model, I care most about how a Senator and president are viewed by the same constituency. By comparing the electoral vote shares of a president and Senator at the state level, I create an accurate predictor of a Senator's voting behavior as it relates to the president. While using prior electoral data reflects how a Senator/president and given constituency related up to 4-6 years ago, I think the past electoral results are the best way to generate a predicted value. While the data may be years old, I am not necessarily concerned with how a Senator's self-perception with his constituents may or may not change. I am worried about how a Senator thought about himself in relation to the president.

One benefit of using a predicted level of agreement based on electoral performance is that the model, by nature, helps to control for polarization. One potential confounding variable in a model that focuses on partisan identity is the effect of partisan polarization. As a result, throughout this thesis, I work to minimize the effect of polarization. Particularly in developing my predicted level of agreement value, using electoral vote data at the state level compares the

two elected officials among the same voter demographic. States have become highly partisan. For any given election, many states are often called blue or red well prior to the election occurring. States that lean towards one party, often have most, if not all, of their Congressional representatives of the same party. Therefore, to get an accurate prediction on how a Senator may vote in relation to the president based on electoral vote shares, the difference between the two must be used as a state's skew towards one party would remain relatively constant. The difference variable speaks to how popular a Senator or president is in relation to the other. By examining how significantly a Senator outperformed or underperformed a president, a prediction can be created for each Congress as to the connection between the electoral vote difference and how likely a Senator is to agree with the president over an entire session. In graph 1.2, the average predicted level of agreement is shown for co-partisans across Congresses.

Graph 1.2



The last step in creating the dependent variable is to compare a Senator's actual level of agreement with the predicted level of agreement calculated using electoral data. To do so, I created a variable that shows the difference between the actual level of agreement and the predicted value. A positive value would indicate that the Senator outperformed their predicted level of agreement - a Senator voted in agreement with the president more often than expected. Meanwhile, a negative value represents a Senator that underperformed their predicted level - a Senator voted with the president less often than expected. The difference variable is used as the dependent variable in my model. As presidents become more central to party politics,

co-partisans and out-partisans should alter their voting behavior reflective of the president. By using the difference measure as the dependent variable, the positive (outperform) and negative (underperform) values will help determine the effect of the president on the lawmaking process. As can be seen in the tables below, the predicted level of agreement is the level of agreement that a Senator should have with the president according to a model constructed using the electoral vote shares of the two elected officials and the roll votes in Congress. The discrepancy between the actual and predicted values is the amount by which a Senator either overperformed or underperformed their predicted level of agreement with the president.

115th Congress Agreement with President Top 5 Performers

Name	Actual Agreement	Predicted Agreement	Difference
McConnell	99.06%	87.18%	11.86%
Wicker	98.60%	82.05%	16.55%
Hatch	98.60%	51.07%	47.53%
Cornyn	98.60%	69.07%	29.53%
Thune	98.60%	67.81%	30.79%

115th Congress Agreement with President Bottom 5 Performers

Name	Actual Agreement	Predicted Agreement	Difference
Harris	20.09%	34.25%	-14.16%
Merkley	19.63%	57.40%	-37.78%
Booker	17.29%	60.48%	-43.19%
Warren	15.42%	49.89%	-34.47%
Gillibrand	14.02%	26.04%	-12.03%

Independent Variable: Margin of Victory:

As presidential authority increases, I am curious how co- and out- partisan MCs situate themselves with the president and how the relationship has changed. As H1 states, co-partisans and out-partisans should position themselves differently in relation to the president and his legislative agenda. Co-partisan MCs should vote with the president while out-partisan MCs should vote against the position of the president. However, do all co- and out- partisans vote in relation to the president in the same way? Let's look particularly at co-partisans. My hypothesis is that all co-partisan MCs rely on the president to help with reelection and improve their electoral security. Though do electorally-secure co-partisan MCs behave the same as electorally-vulnerable co-partisan MCs? Among all Senators, some are more electorally secure than others. If presidents are acting as party leaders, electorally-secure co-partisans should vote with the president at a higher rate than electorally-vulnerable co-partisans. Electorally-secure co-partisan MCs should be aligning themselves closely with the president because they have the ability to be less responsive to their constituency in lieu of their president and party. In the same vein, the electorally-vulnerable out-partisans should vote with the president at a lower rate than electorally-secure out-partisans because the electorally-vulnerable out-partisans should want to create a divide between themselves and the president/his party.

To examine the effects that electoral security may have on legislative agreement with the president, I use electoral margin of victory data as my independent variable. More specifically, using electoral data, I look at a Senator's most recent race that occurred prior to a given Congress. Using Senatorial election data, the margin of victory for each Senator can be calculated. To do so, I collect two variables, the vote share of the winner (Senator in question)

and the vote share of the runner-up. The reason why I collect both data is because I define the margin of victory as the difference between the winner and the runner-up in the general election. The difference between the two individuals is the margin by which the Senator won their election. The margin of victory gives good insight into the electoral security of Senators because the electoral data conveys how contested their victory was. Thus, variation in behavior among individuals at different margin of victory values can allow my data to see if the president has differing effects based on a Senator's electoral security.

Confounding Variables: Polarization and Seniority:

Before exploring the data, it is important to note two confounding variables that could corrupt the data.⁴¹ The first confounding variable is polarization. Some would argue that the reason why some Senators vote at a higher rate with the president is not due to electoral factors, but rather, because of the political beliefs of the Senator. Senators appear on all points of the political spectrum, thus, to get accurate data as to how the president is affecting Senator behavior, the degree to which they are polarized must be controlled for. To account for the role of polarization in my analysis, I use the DW-Nominate first dimension scores and control for it in my statistical analyses. The score is a good way to control polarization because it uses Senator votes in a given Congress to analyze how moderate or extreme a given MC's position is based on their voting record on economic issues. Thus, using the DW-Nominate score as a control should help remove the effect of polarization on my model. If statistically significant findings can still be observed in the models forthcoming, polarization is not driving the effect, but rather, this thesis would argue that any effect can be attributed to the growing role of the president.

⁴¹ Confounding variables and all demographic data collected from - Craig Volden, and Alan Wiseman. "Center for Effective Lawmaking." *Center for Effective Lawmaking*, 2022. <https://thelawmakers.org/data-download>.

The second variable important to account for in the construction of the model is the role of Senatorial seniority. By seniority, I am referring to the number of years that a Senator has spent in Congress. Some may say that Senators vote differently based on their political power and experience in the Senate. However, this thesis is concerned with how partisanship and margin of victory affect one's voting relationship with the president. Therefore by using a Senator's number of years in the Senate as the metric for seniority as a control, I can remove the effect that seniority may have on my model.

Below, I use a regression model to examine my two hypotheses. To do so, I use the difference between the actual and predicted levels of agreement for each Senator across the 107th-116th Congress. In my model, I control for polarization and seniority by using the DW nominate score and the number of years in the Senate for each Senator. Following the regression, I take the margins of four groups for each Congress - broken down by partisanship and electoral security. I look at electorally-secure and electorally-vulnerable co-partisans and out-partisans. In my model, I define electorally-secure as being the 75th percentile of the Senatorial margin of victory (31.30 points). Meanwhile, I construct electoral-vulnerability as being a margin of victory of 9.03 points, or the 25th percentile. As can be seen in Graph 1.3, the analysis of the four groups can speak to institutional changes between the president and Congress.

In the following section, I present the results of my thesis. To do so, I go through each hypothesis independently. I will begin by reviewing my hypothesis and sharing indicators that could appear in my data that would confirm my hypothesis. After, I will describe the data and speak to what degree my results confirm each of my hypotheses. In each case, I will add qualitative information to add some dimension to my findings.

Before exploring my findings, I want to return to defining a key term - co-partisanship. While I hope my explanation of co-partisanship has become clear, I want to review the term again because of its inherent importance to my results. When I refer to co-partisanship, I am referencing MCs who share the same partisan identity as the president. For example, a Republican MC in the 108th Congress would be a co-partisan because they would share the same party affiliation as then-President Bush. Therefore, under Bush, Obama, and Trump, the co-partisan MCs would be Republican, Democrat, and Republican respectively. An equally important term of note is out-partisanship. In my model, out-partisans are individuals who belong to the opposite party of the president. Using the 108th Congress as an example, Democrat MCs would be out-partisans. Understanding the two terms will be necessary to pick up on the nuance and significance of my empirical work.

Results:

H1. Individual Congress Hypothesis: *In relation to their predicted level of agreement, electorally-secure co-partisan Senators will vote with the president at a higher rate than electorally-vulnerable co-partisans. Meanwhile, electorally-vulnerable out-partisans will vote with the president at a lower rate than electorally-secure out-partisans.*

In the first hypothesis, I explore the relationship between a Senator's actual and predicted level of agreement with the president based on their electoral security. My first hypothesis highlights the idea that the president's agenda is becoming one with his party's agenda. Therefore, it would be expected that electorally-secure co-partisans should agree with the president at a higher rate than electorally-vulnerable co-partisans as the electorally-secure MCs would have a more vested interest in the success of presidential/partisan goals rather than the day-to-day concerns of their constituents. In a similar vein, electorally-vulnerable out-partisans

should vote with the president at a lower rate than electorally-secure out-partisan MCs because the vulnerable Senators would desire to create as much distance between their position and the president's as possible.

To test the hypothesis, my model looks at a Senator's actual and predicted levels of agreement with the president. The actual level of agreement is calculated using a series of roll votes in the Senate for which I have an associated proxy for the president's position. The predicted level of agreement value uses roll votes in Congress and combines it with the most recent Senator and presidential electoral data in a given state. Important to note regarding graph 1.3 is that a zero value on the y-axis represents a Senator who votes with the president at the same rate as their predicted level of agreement value. If a Senator is voting as predicted, then one could assume that they are weighing the traditional MC considerations outlined by prior scholars, rather than being affected by the president. While some Senators may agree with the president at a high level, they may still have a value of zero on the graph because my model is not concerned with who votes with the president at a high or low rate, but rather, who votes with the president at a higher or lower rate than predicted.

One example is Massachusetts Senator Ed Markey. Senator Ed Markey was first elected to the Senate in 2014. In the election, he received 61.87% of the vote - barely outperforming President Obama's Massachusetts vote share of 61.80%. Because their vote shares were both high and proximate to each other, my model suggested that Senator Markey, in the 113 Congress, would vote with the president at a moderately high rate of 73.16%. In other words, I anticipate that Senator Markey would agree with President Obama's position nearly three out of every four times. However, in actuality, Senator Markey agreed with the president at a rate over 10 points higher than predicted. The Massachusetts Senator agreed with President Obama at a rate of

83.54%. The higher rate is not a result of partisanship, popularity, or polarization because by using electoral vote shares of the Senator and president in the predicted model, the three aforementioned phenomena are controlled for. Rather, the >10 points are indicative of the president's effect on Congressional voting behavior.

Prior to examining graph 1.3, it is important to understand how to interpret it. If the actual level of agreement is larger than the predicted value, like in the case of Senator Markey, then the Senator is agreeing with the president at a rate higher than they are expected to. The higher-than-predicted level of agreement would manifest on the graph below as being above the 0 value on the y-axis. Conversely, if the difference between the actual and predicted level of agreement values with the president is less than 0 (below 0 on the y-axis), then a Senator is agreeing with the president less than expected. Regardless of electoral security, I believe that co-partisans, should always, on average, vote with the president at a higher rate than any out-partisan. To test my hypothesis, I use four unique groups of observations - electorally-secure co-partisans, electorally-vulnerable co-partisans, electorally-secure out-partisans, and electorally-vulnerable out-partisans.

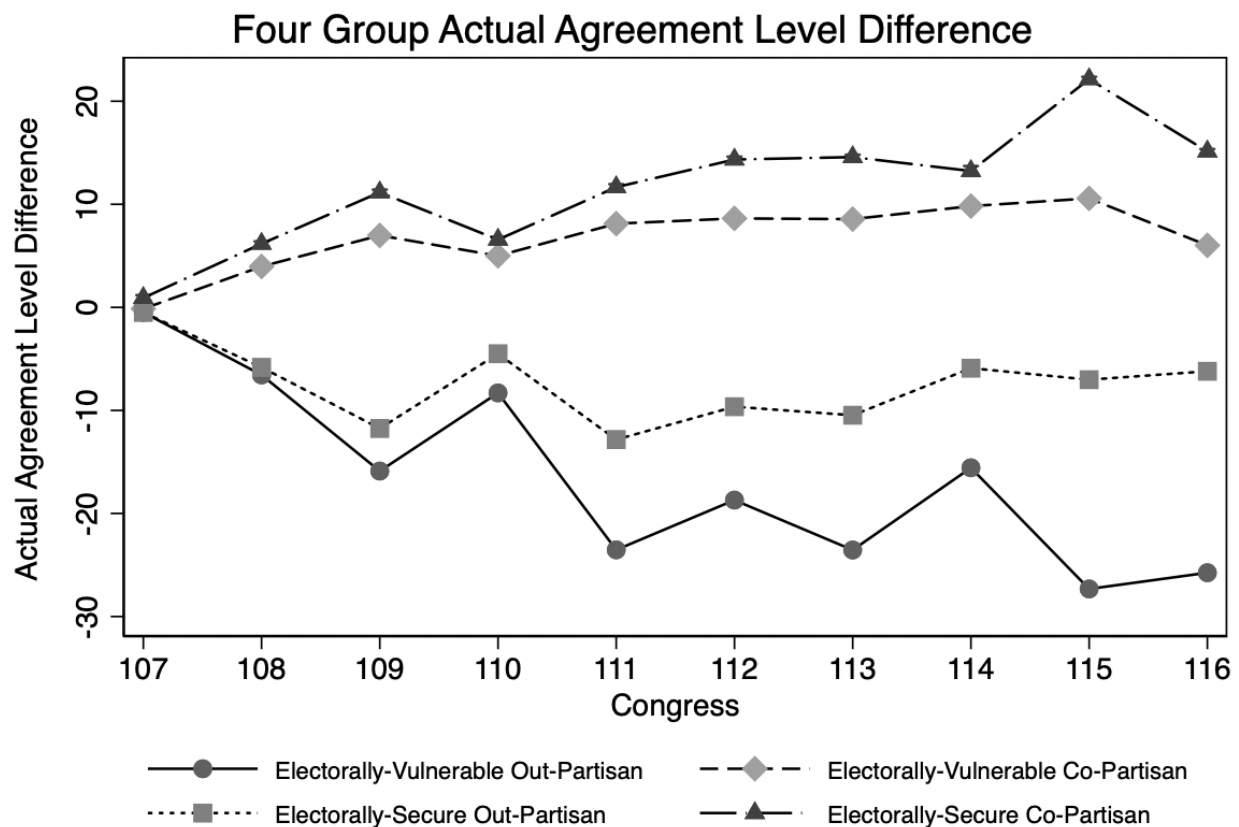
To gauge the accuracy of my hypothesis, I can rank each of my four observation groups based on how much greater their actual agreement level is compared with their predicted value. If my hypothesis was correct, then the ordered rank should be 1) electorally-secure co-partisans, 2) electorally-vulnerable co-partisans, 3) electorally-secure out-partisans, and 4) electorally-vulnerable out-partisans.

My first hypothesis is concerned with the ranking of the four groups in regards to how much their actual level of agreement outperforms their predicted values in a given Congress. The graph below shows the four groups in the 107-116th Congresses. While there may be trends

evident when looking across sessions, I will only speak to the intra-Congress phenomenon in the analysis of my first hypothesis.

In the graph below, I show the four groups, their average relation to the predicted value, and their relation to each other. As you can see through the graph visualization of my hypothesis, in every Congress, my hypothesis was correct. Across the 107th-116th Congress, the electorally-secure co-partisan MCs were always the group to agree with the president at the highest rate over their predicted value. Across the model, the electorally-vulnerable co-partisans were always agreeing with the president at the second-highest rate in relation to their predicted value.

Graph 1.3



Also in line with my hypothesis, both groups of out-partisans voted with the president at a lower than predicted level in each Congress. Looking specifically at out-partisans, the electorally-vulnerable systematically voted with the president at a lower rate than their electorally-secure counterparts. While out-partisans have a predicted level of agreement with the president that would have been low, their actual level of agreement on average was significantly lower. The systematic rejection of bills that were supported by the president demonstrates the growing role that the president is playing in Congress and the merging of the president's agenda with his party's agenda.

However, Congress has not always been so presidentially-driven. While polarization and parties have existed for a significant period of time, their effect has not always been so potent. Look at the 107th Congress as an example. In the 107th Congress, all four groups are within one point of their predicted values. The y-axis values for the electorally-secure co-partisans, electorally-vulnerable co-partisans, electorally-secure out-partisans, and electorally-vulnerable out-partisans are .92, -.14, -.48, and -.48 respectively. The proximity to the zero value on the y-axis indicates that the Senators in each of the four groups were voting with the president at nearly the same rate as predicted. While co-partisan and out-partisan MCs had significantly different predicted levels of agreement with the president, my model is demonstrating that the MCs in the 107th session agreed with the president at a near-exact rate as they were predicted to. The observation is powerful because it demonstrates that the effect of the president is a newly-emerged and growing phenomenon. While parties and the president were both important institutional factors in the 107th Congress, they did not have as strong an effect as they would in later sessions.

The 107th Congress, as observed through my model, describes a time in American government when the MC vote could be easily understood. Each MC weighed the various considerations and voted in a predictable manner. However, when examining Congresses in the 21st century, the 107th Congress appears to be the outlier. Rather than traditional MC considerations driving votes, my model demonstrates that the president is having a significant effect on MC voting. Take the 111th Congress for example. In the session, just 8 years from the end of the 107th, the “predictable” MC considerations no longer account for MCs voting. Rather, I argue that the divergence from zero (the line that indicates voting 100% in line with predicted value) is a result of the growing role of the president. In the 111th Congress, the order of the four groups remains the same as in the 107th Congress - electorally-secure co-partisan, electorally-vulnerable co-partisan, electorally-secure out-partisan, electorally-vulnerable out-partisan. While the order of the four groups stays the same as in the 107th Congress, the most significant difference is the growing separation between the four groups. In the 111th Congress, in relation to their predicted values, the four groups, electorally-secure co-partisan, electorally-vulnerable co-partisan, electorally-secure out-partisan, electorally-vulnerable out-partisan had values of 11.67, 8.12, -12.83, and -23.53, respectively. The growing separation along the partisan lines is not a result of heightening polarization, but rather, the effect of the president. As a case study, let’s re-examine the ACA passed during the 111th Congress. President Obama, leading the charge of the ACA, made frequent speeches on behalf of the bill and initiated carrot-and-stick tactics to garner support for the bill.⁴² While the president’s role in the legislative process had historically been seen as limited, President Obama’s actions symbolized an emerging role that is evident in my model. The ACA, often referred to as

⁴²Keller. *The Unbearable Heaviness of Governing: The Obama Administration in Historical Perspective*.

Obamacare would be something that many Senate Democrats were skeptical to support. However, they all rallied around the bill because it was a focus and priority for President Obama. Furthermore, Senate Republicans - the out-partisans in the 111th Congress, unanimously rejected the bill. Ultimately, the ACA passed the Senate strictly along party lines. While some may argue that it was Democrats who wanted the ACA passed all along, the fact is that President Obama solely drove the bill through Congress and cemented it as a legislative victory for his legacy. The example of the ACA does not highlight polarization or hyper-partisanship, rather, it solely showcases the growing power of the president.

By examining the 107th and 111th Congresses, one can conclude that the effect of the president between the two sessions grew. The 107th Congress demonstrates a time when MCs voted in a predicted manner. Meanwhile, the 111th Congress shows a large divide among the co- and out-partisan groups - indicating a presidentially-driven effect. Simultaneously, the 111th Congress highlights the growing separation between the electorally-secure and vulnerable. Hypothesis two will explore if the effect of the president on the Senate is a stagnant or growing phenomenon.

H2. Time Series Hypothesis: *Through the 21st century, in relation to their expected level of agreement, the rate at which co-partisans vote with the president should be increasing.*

Meanwhile, out-partisans should vote against the president at increasing rates.

To examine the second hypothesis, we can refer to the same graph illustrated in the first hypothesis (Graph 1.3). Rather than using a specific Congress to observe how the four groups relate to each other, the second hypothesis looks at how the behavior of the four groups changed over time between the 107th and 116th Congresses. If my hypothesis is correct, then we should see co-partisans voting with the president at higher than predicted rates (with a growing trend)

and out-partisans voting with the president at lower than predicted rates (with a decreasing trend).

Looking at co-partisans first, the trend of both lines (electorally-secure and electorally-vulnerable) is positive. This means that as the Congresses approach the present day, MCs in the respective groups are agreeing with the president more often than in previous Congresses. Looking specifically at the electorally-secure co-partisans, their agreement with the president is significantly above their predicted values. Co-partisans are predisposed to agree with the president. The predicted model accounts for the inherent agreement by using the president and Senator electoral vote shares. While the model attempted to account for the inherent partisan skew by Congressional members in an effort to support their president, the electorally-secure co-partisans still systematically voted with the president at a higher than predicted rate - higher than any of the other observed groups. To best illustrate how strongly the electorally-secure co-partisan MCs are voting with the president, I can examine the 107th, 111th, and 115th Congresses. The three sessions were the beginning of new presidential terms. In the three sessions, electorally-secure co-partisans agreed with the president .92, 11.67, and 22.14 points above predicted. The predicted level of agreement values for electorally-secure co-partisans in the 107th, 111th, and 115th Congresses were 83.35%, 76.54%, and 63.50%. While the predicted values may appear low, they are lower because the Senator outperformed the president and my model predicted they had more autonomy to vote on their behalf as well as the party. On average, in the 107th, 111th, and 115th Congresses, the electorally-secure co-partisan Senators outperformed the president by 13.31%, 12.71%, and 12.40% respectively. While each electorally-secure co-partisan had the most voting autonomy, they systematically voted with the president at a higher rate than they were predicted. This is because there has been a shift in how

the president and Congress interact. Rather than the president setting the agenda and hoping Congress collaborates and passes his initiatives, the president is taking a more active role. In recent Congresses, the president's legislative success is being tied with the success of the party and as a result, MCs are giving up their autonomy in lieu of allowing presidents to drive legislative processes - allowing for partisan victories.

A similar story can be told regarding electorally-vulnerable co-partisans. Through examining the 107th-116th Congresses, the level of agreement with the president is always above the predicted values (except for the 107 where it is approximately zero). While each MC has considerations such as desiring re-election, amassing power in Congress, creating good policy, and working with fellow partisans, the factors do not explain electorally-vulnerable co-partisan MCs' increasing propensity to vote with the president. Rather, it is the growing effect of the president that is dictating the MC voting behavior. Just as in the example of the ACA in the 111th Congress, presidents are having an effect on the legislative process that goes beyond their understood formal roles of agenda-setting and vetoing. Looking again at the 107, 111, and 115 Congresses, the electorally-vulnerable co-partisan MCs voted with the president at -.14, 8.12, and 10.57 points, respectively. Aside from the 107th Congress where electorally-vulnerable co-partisans voted at just about their predicted value, they systematically have voted with the president at a rate higher than predicted. Similar to their electorally-secure counterparts, the data shows that they are agreeing with the president at a higher rate as a result of the growing role of the president. As executive-centered partisanship has manifested itself in the legislative process, co-partisan MCs increasingly positioning themselves with the president. Evident through an examination of the 107th-116th Congresses, the electorally-vulnerable co-partisans agree with the president at an increasingly high rate. It suggests that they are

looking toward the president to better understand where they should stand on legislation. In many ways, they are no longer independent actors, as written by prior scholars, but more so partisan supporters of the president. While their average actual level of agreement with presidentially-supported initiatives was above the predicted value, it falls short of the level of agreement by electorally-secure co-partisans. One reason I offer is that the electorally-secure co-partisans have electoral security, and thus, can worry about the larger party initiatives rather than having to cater more closely to their constituents. While both groups of co-partisans agree with the president, they agree at different rates as a result of their electoral security.

Reflective of the story told regarding co-partisans cozying up to the president's positions, out-partisans are systematically rejecting the president's position - supporting his position at rates below what my model predicted. In the instances of the electorally-secure and -vulnerable alike, both groups of MCs voted with the president at progressively lower rates than predicted. The systematic rejection of bills with presidential support further highlights the notion that the president and his party are becoming unified as one identity. Though among out-partisans, the two groups (electorally-secure and -vulnerable) reject bills with presidential support at different levels. Electorally-secure out-partisans vote with the president's position at a rate closer to their predicted value than their electorally-vulnerable counterparts. By examining the 107th-116th Congresses, we can understand how the two groups vote in relation to the president. In the 107th Congress, both groups of co-partisans voted -.48 points compared with their expected value. As mentioned previously, the 107th Congress was the most emblematic of a session where MC votes could be understood using known considerations highlighted in the literature review. Below is a table showing the two groups through the different Congresses.

Congress	Electoral-Secure Out-Partisans	Electoral-Vulnerable Out-Partisans
107	-0.48	-0.48
108	-5.82	-6.56
109	-11.75	-15.88
110	-4.50	-8.30
111	-12.83	-23.53
112	-9.64	-18.70
113	-10.47	-23.54
114	-5.90	-15.57
115	-7.02	-27.32
116	-6.20	-25.75

While both groups vote in favor of bills with presidential support at lower than predicted rates through all Congresses, the electorally-vulnerable out-partisans vote against the bills most often. Across the 107th-116th Congresses, the slope of both lines is decreasing. Both lines having a decreasing slope indicates that out-partisans, regardless of their electoral security, are creating stark voting divides on bills with presidential support. A conclusion that can be drawn is that out-partisans are seeing the president meld his identity with the identity of the party and as a result, out-partisan MCs are rejecting policy advances of the opposing president and party. While both lines decrease, the most significant decrease in the 21st century is among electorally-vulnerable out-partisan MCs. These individuals reject bills with the president's support at a rate significantly higher than predicted. While the electorally-secure out-partisan MCs have three instances voting with the president's positions at a rate of 10 points or lower than predicted, their electorally-vulnerable counterparts have seven - four of which are at a rate of 20 points or lower. The persistent rejection of bills with presidential support confirms that

electorally-vulnerable out-partisans are the group trying to distance themselves from the president most significantly. The rejection of bills with the president's position further confirms that MCs are viewing the president's agenda as the party agenda. While the president has long set the agenda for Congress, the president's role in the legislative process has become more involved in the 21st century - resulting in the out-partisan rejection of bills with presidential support.

By examining actual and predicted levels of agreement with the president among four unique groups, we can clearly see that prior understandings of MC voting behavior are incomplete as the effect of the president has been constantly growing through the 21st century. In the first hypothesis, we can clearly see that the rank of the four groups remains constant through all Congresses which indicates that voting with or against the president can be understood in a methodological way. The electorally-secure co-partisans vote at the highest rate above the predicted value as they have the ability to prioritize the president's (and party's) agenda more so than their electorally-vulnerable counterparts. Meanwhile, the electorally-vulnerable out-partisans were rejecting the president's position at the highest rate compared to their predicted level of agreement. The rejection by both groups of out-partisans indicates a growing partisan divide that is being driven by the president. While my model accounts for polarization, the growing voting divide can be solely attributed to presidentially-driven hyper-partisanship and polarization. Moreover, the electorally-vulnerable out-partisans rejecting votes with the presidential support at the highest rate highlights the desire for out-partisans to distance themselves from the president - demonstrating his growing power and partisan authority. As hypothesis two further confirms, the endorsement or rejection of bills with presidential support is not a minute point. Hypothesis two demonstrates that the effect of

the president on voting behavior has an effect on all MCs - regardless of partisanship or electoral security. Moreover, the effect of the president is growing with each Congressional session.

While there must be an eventual limit to the effect of the president on legislative voting behavior, the trends suggest that we are not yet there.

Discussion:

I ended my literature review by posing the question - if presidents have become more powerful in the 21st century, how might the relationship between the president and Congress change, and has the president's role in the legislative process grown? To answer the question, I constructed a model to get an agreement level with the president and a predicted agreement level with the president score for each Senator across ten Congresses. The model was aimed at answering two hypotheses. The first hypothesis was focused on specific Congresses. I split Senators into four groups based on their partisan affiliation and electoral security. I examined how the four groups related to each other in each Congress. During various Congresses, I was able to see how the four groups interacted with each other. While each Congress proved to have substantial findings, one of the most important discoveries was in the 107th Congress. In the Congress, the four groups were all within two points of one another - a sign that all groups, regardless of partisanship or electoral security, were voting at a near-identical rate with their predicted values. To add to this finding, the four groups were all within 1 point of the predicted value - meaning that my methodology for creating the predicted value was an accurate predictor for an early 21st-century Congress. Additionally important was that my first hypothesis was correct as the order of the four groups never changed when looking at how they voted in relation to their predicted values - both co-partisan groups voted with the president at higher rates than both of the out-partisan groups. Within the co-partisans, the electorally-secure voted with the

president at a higher than predicted rate than their electorally-vulnerable counterparts. Among out-partisans, the electorally-vulnerable voted with the president at the lowest rate compared to their predicted value. Across all Congresses, the order of the four groups remained constant - electorally-secure co-partisan, electorally-vulnerable co-partisan, electorally-secure out-partisan, electorally-vulnerable out-partisan.

While the order remained the same throughout the ten sessions, the key change was the growing separation in the four groups' voting behavior. In hypothesis two, I explored how the four groups' positions changed over time. In my findings, I confirmed my hypothesis that the rate that co-partisans are agreeing with the president is increasing and the rate that out-partisans are agreeing with the president is decreasing compared to their predicted level of agreement. Within co-partisans, the electorally-secure are agreeing with the president at the highest rate with a significantly positive trend over the 10 Congress span. Meanwhile, among out-partisans, the electorally-vulnerable reject the president's position the most often and have the steepest negative slope - indicating a continuing distancing between the electorally-vulnerable out-partisans and the president.

These findings are significant because they represent a change in how we should understand the relationship between the president and Congress. Traditional understandings (put simply) point to presidents setting the agenda, Congress crafting and passing legislation, and the president signing the bill into law. Some more recent descriptions of executive-centered partisanship have emphasized the president's power in implementing laws, but have omitted the president's role in constructing legislation. While the aforementioned description of the lawmaking process may have been oversimplified, it highlights the cooperative and symbiotic relationship between Congress and the president. However, my model confirms that the

lawmaking process has changed. As highlighted at the beginning of my thesis, an examination of the ACA under the Obama administration and the TCJA under the Trump administration demonstrates that presidents are playing a more significant role in the lawmaking process. They no longer solely set the agenda, but work tirelessly to carry out their goals. As my research demonstrates, MCs are being forced to make legislative decisions based on their loyalty to the president rather than consider their own constituent-based factors. The change is highlighted by the growing difference between an MC's predicted and actual level of agreement with the president. Through the 21st century, we've seen MC votes be more presidentially-driven - with no statistical signs of ending soon. MCs are voting with the president because the president and the party have become one and the same. As referenced in the literature review, executive-centered partisanship contends that presidents are taking a greater role in the administrative and organizational aspects of party politics.

As this thesis demonstrates, the effect of ECP has seeped into the lawmaking process. To vote against the president in more recent Congresses is to vote against the party - a phenomenon not highlighted in my data prior to the 108th Congress. The recent emergence of the phenomenon highlights that the institutional role of the president and Congress has changed. The most significant change observed in my results was the MC's desire to situate themselves in relation to the president with co-partisans attempting to advance his set agenda. While President Obama may have seemed too hands-on when advancing the ACA, our new understanding of the relationship between the president and Congress demonstrates that there is constant presidential involvement in every aspect of the legislative process. As a result, MCs in Congress are forced to side with the president if they are co-partisans or reject the president if they are out-partisans -

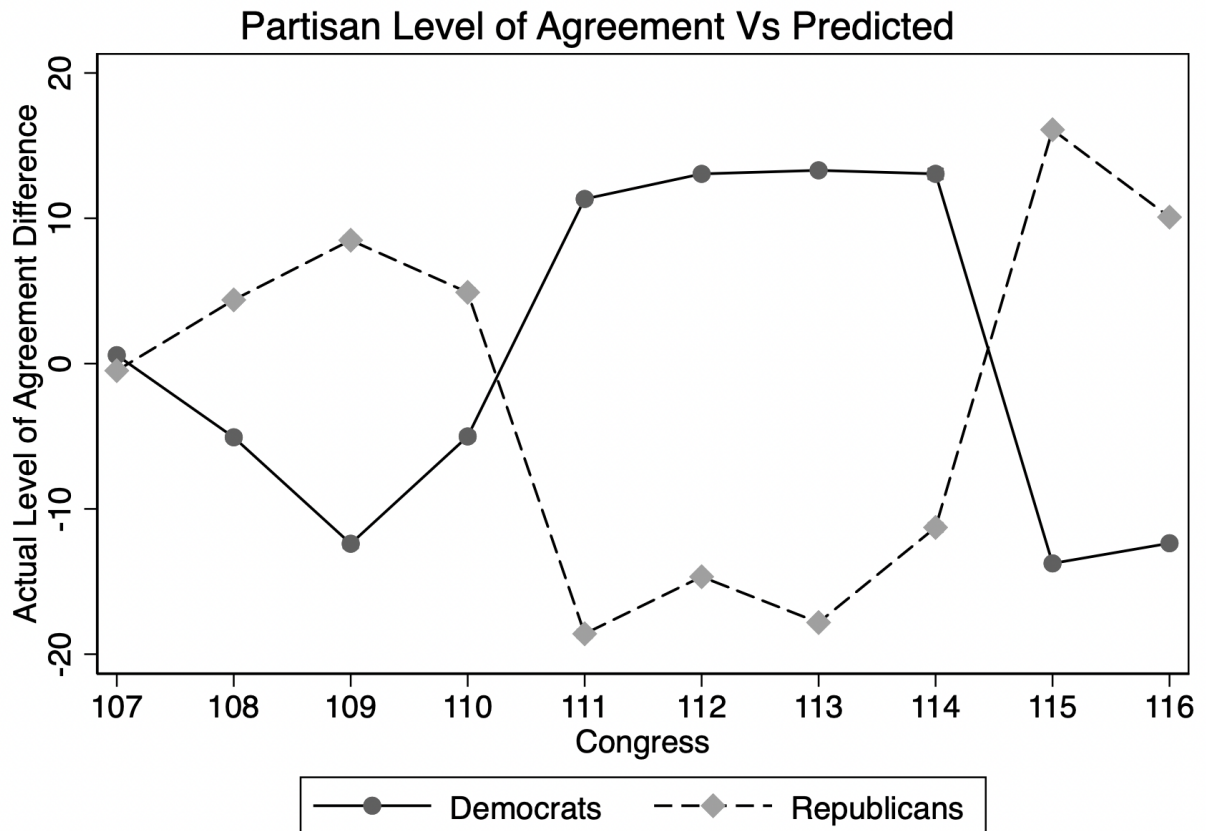
not because the policies proposed are good or bad, but because of the president's role as the sole leader of the party.

While my model does a good job of illuminating the changing relationship between the president and Congress, there are additional external factors that could potentially be contributing to the results from my data.

One potential factor is differing behavior by Republicans and Democrats when they are co- or out-partisans. In my research, I gather data from the 107-116th Congress. In doing so, I collect data from sessions where Republicans and Democrats both have time as co- and out-partisans. Recent literature suggests that the two parties function differently as a result of their differing goals, ideological beliefs, and constituencies - a phenomenon known as asymmetric polarization.⁴³ As a result, it would suggest that Republicans and Democrats may behave differently when put in co- and out-partisan situations. In graph 1.4, I highlight the data in terms of partisan identity rather than co-partisanship.

⁴³ Matthew Grossmann, and David A. Hopkins. *Asymmetric Politics: Ideological Republicans and Group Interest Democrats*. Oxford University Press, 2016.

Graph 1.4



In looking at the graph above, the most drastic change between sessions occurred between the 110th and 111th Congress. The end of the 110th Congress marked the end of President George W. Bush's tenure as Commander-in-Chief and ushered in the beginning of the Obama administration. The difference between Senator behavior across the two sessions is drastic for Republicans and Democrats. Democrats in the 111th Congress agree with President Obama at a higher rate than Republicans under President Bush. Likewise, Republicans are disagreeing on bills with presidential support at higher rates than expected than Democrats in the session prior. While my data demonstrates that co-partisans are agreeing more with the president as we approach the 116th Congress and out-partisans are disagreeing at a higher rate, do Republicans and Democrats act differently when they are co- and out-partisans? I would argue

that any difference in behavior is negligible. While we see a large change in the behavior of co- and out-partisans between the 110 and 111th Congresses, the level of agreement by Democrat and Republican Senators remains relatively constant throughout the entire Obama administration (111-114). Thus, I would argue that the significant change between the 110 and 111th Congresses is not because Democrats and Republicans behave differently as co- and out-partisans, but rather, that with the new president, the effect of his influence on Congress changes. The idea of new presidential administrations marking a period of growing presidential influence is backed up when looking at the 114th and 115th Congresses. In the 115th Congress (the start of the Trump administration), both co- and out-partisan values diverge further from their predicted values. Thus, the growing divergence from the predicted value is driven by growing presidential influence. Though it is important to note the slight variation in partisan behavior. While it is minor, Republicans behave slightly more extreme than their left-leaning counterparts. Under the Obama administration, Democrats voted with the president 12.68 points higher than predicted, Republicans meanwhile voted against the president 15.59 points higher than expected. Under the Trump administration, Republicans voted with Trump 13.09 points higher than expected while Democrats voted against the president 13.055 points higher than expected. Democrats, as out-partisans, agreed with Trump on average more than Republicans did under Obama. While my analysis shows that the largest increase in distance from the predicted value occurs between presidential administrations, it is important to note that Republicans under Obama were more strongly opposed to the president than Democrats under Trump. While both partisan groups are polarized, the Republican party is slightly more extreme - though they do not behave differently enough to negatively affect my data and results.

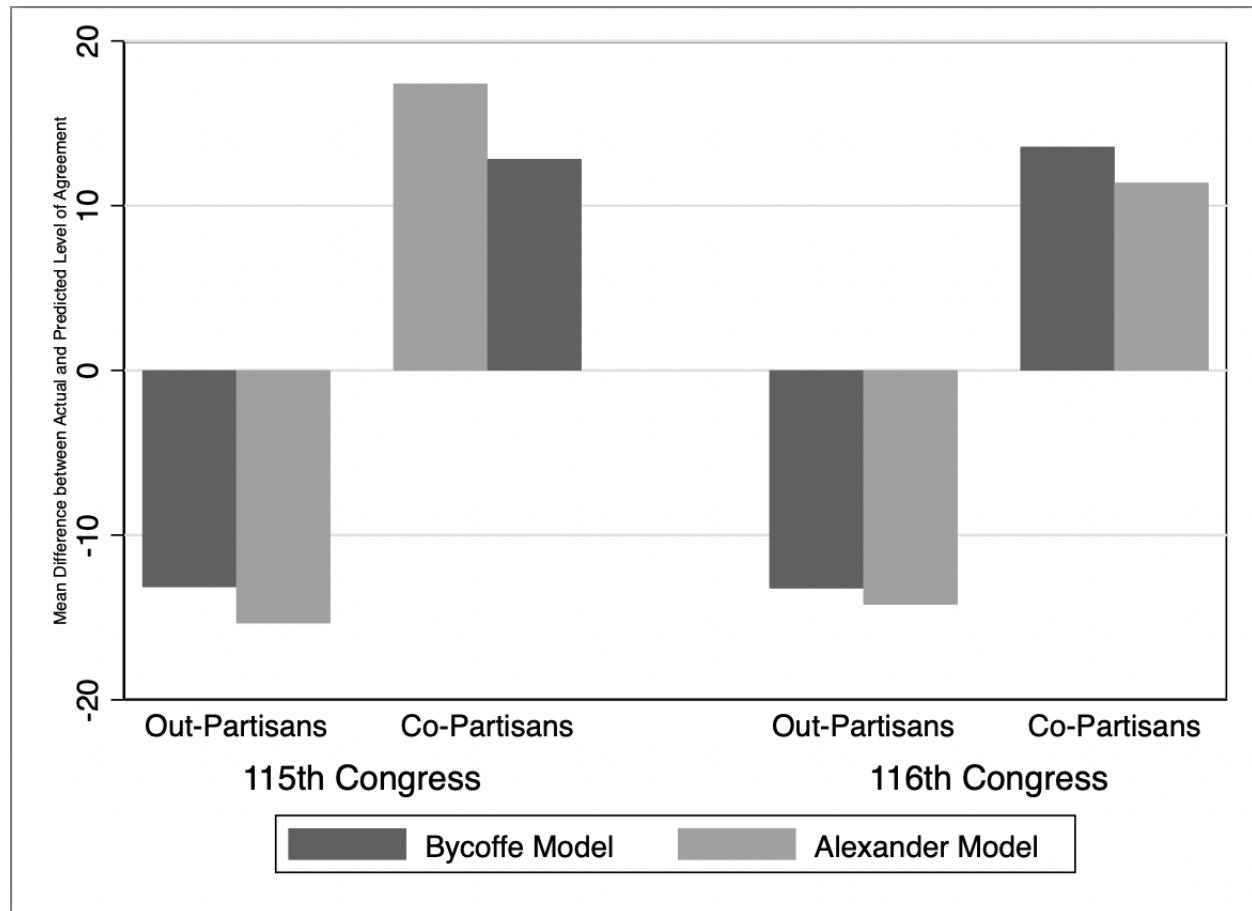
A second factor that could be affecting my results in an unintended manner is the effect of the Trump administration. While I believe the Trump administration was a continuation of growing presidential power and authority, some scholars believe the Trump administration was distinct from past presidents and needs to be accounted for.⁴⁴ In my own methodology, there is evidence to suggest that the Trump administration behaved differently from prior administrations. To construct my levels of agreement, I used Statement of Administration Policy data from the Office of Management and Budget. However, the Trump administration released the fewest SAPs out of any administration. Another scholar who did work examining the relationship between the president and Senators was Aaron Bycoffe. In his work with *FiveThirtyEight*, he analyzes the relationship between the president and Senators on legislation using a different methodology. He collects the president's position by using clear statements on legislation in the media, press releases, Vice Presidential tie breaks, nomination votes (Cabinet and Supreme Court), and veto overrides. We can compare my results with the results of Aaron Bycoffe who examined Senator agreement with the president during the Trump administration.⁴⁵ Graph 1.5 shows how Senators in Aaron Bycoffe's model behaved compared to their predicted value (also calculated by Bycoffe).⁴⁶

⁴⁴ Robert C. Lieberman, Suzanne Mettler, Thomas B. Pepinsky, Kenneth M. Roberts, and Richard Valelly. "The Trump Presidency and American Democracy: A Historical and Comparative Analysis." *Perspectives on Politics* 17, no. 2 (2019): 470–79. doi:10.1017/S1537592718003286.

⁴⁵ Bycoffe. "Introducing the Trump Score".

⁴⁶ Data from *FiveThirtyEight* - Aaron Bycoffe. "Tracking Congress in the Age of Trump." *FiveThirtyEight*, January 13, 2021. <https://projects.fivethirtyeight.com/congress-trump-score/>.

Graph 1.5



In Bycoffe’s model, he has co-partisans (Republicans) outperforming their predicted level of agreement values by 12.83% and 13.57% on average for the 115 and 116th Congressional sessions. Meanwhile, his data places out-partisans as underperforming their predicted level of agreement by -13.15% and -13.23% for the two sessions. To put in comparison, my model places the actual performance of co-partisans at 17.40% and 11.39% while out-partisans performed at -15.35% and -14.21%. Though our data collection and methodologies vary, the similarity in Senator level of agreement data supports my finding that presidents are having a growing effect on the legislative process. While the Trump administration may have been an outlier and underutilized his SAP ability, Bycoffe’s data closely resembles the phenomenon that I am discussing, meaning that the phenomenon is not occurring because of a lack of data or my

particular methodology, but rather, because of a systematic change in how our government functions.

A third factor that may influence my data is a “honeymoon” period that the president has with Congress at the beginning of his time in office. The starts of presidential administrations are important to examine because previous scholars have associated the early successes of a president with Congress as being a key indicator of how the president may fare through the rest of his tenure. In writing about the president’s relationship with Congress, scholars have discussed the importance of presidents starting strong as the strength of their influence diminishes as time advances.⁴⁷ If presidents have their strongest influence in Congress at the start of their administrations, then co- and out-partisans should both be most eager to work with the president. However, as the data suggests looking at the 111/112 and 115/116 Congresses, co-partisans don’t necessarily agree with the president at higher rates at the beginning of a presidential administration. Under the Obama administration, we see Democrats’ support for the president increasing in the 112 and 113th Congresses - midway through his presidency. In regards to out-partisans, in the 111 and 115 Congresses, we see the lowest level of agreement in relation to the predicted value compared with any other point in a given administration.

A fourth consideration that may influence the data is the behavior of retiring Senators. Senators can choose to retire at any time during their elected term. While the decision to retire can be based on a variety of factors such as age or electoral chances, when a Senator retires, they are no longer necessarily beholden to their party or constituency. As a result, there is the potential for retiring Senators to vote on their own - rather than having presidential, partisan, or constituent-based accountability. To test the effect that the retirement of Senators has on my model, I conducted the same regression and margins analysis that I used to analyze my two

⁴⁷ Pfiffner. *The Strategic Presidency: Hitting the Ground Running*.

hypotheses, but added in a control for the retirement of Senators. After running the analysis, controlling for the retirement value did not have a statistically significant effect as the values of my four groups of analysis across the 107-116 Congresses remained in the 95% confidence interval of my original analysis. Thus, I can conclude that a Senator's decision to retire does not have an effect on the validity of my model. By examining the accuracy of my theory through the lens of retiring Senators, the robustness of my empirical findings reaffirms the growing role of the president.

The last consideration that may have an effect on my data is the time span being observed. My model examines Congresses in the 21st century. While I am able to collect the 107th-116th Congresses, my data can not analyze the developing president-Congress relationship prior to 2001. There are two reasons why it would be valuable to have data that goes further back in time. First, in the 107th Congress, all four of the groups that I analyze are close to having a zero value (voting near perfectly with their predicted value). If we had a session or two prior, we would be able to discern if the 107th Congress is an outlier in the data or if the presidential influence on the legislative process is truly a newly emerging phenomenon. Second, during the 107th Congress, 9/11 occurs. As many note, there was a significant "rally around the flag" sentiment across the country. If the sentiment existed in Congress in a strong capacity, Congressional members would have voted with the president to expedite needed legislation. Again, without prior data, we will not be able to analyze the effect that 9/11 may have had on the 107th Congress data.

For future researchers, I would recommend expanding the data to include Congresses going back into the 20th century. With additional data, the president's growing role can be tracked more easily. While I would infer that the fluctuations in relation to the predicted values

would be less extreme than the fluctuations observed in the 21st century, the data would be important to confirm my hypotheses. In addition to expanding the data back in time, it is going to be important to advance the data forward into the Biden administration. By analyzing the 117th Congress and beyond, we will be able to see if the trend of increased presidential influence continues.

Conclusion:

Through a careful analysis of the changing relationship between the president and Congress, we see that presidents have become progressively more central figures in our government. Their meteoric amassment of power stems from a potentially detrimental belief that there is a need for an institutional actor to take on increased government responsibility. In addition to a grown role in government, presidents have taken on the role of party leader. As the leader of the party, presidents have sole authority to set their party's agenda. The result of the increased presidential power and executive-centered partisanship can be seen through an examination of the legislative process as both co- and out-partisan MCs have a compulsion to position themselves in relation to the president. While presidents have long used their agenda-setting power to guide co-partisans in Congress, the growing involvement of the president in the legislative process has tied presidential success with legislative victories. As exemplified through examining the ACA and TCJA, presidents today involve themselves in every step of the legislative process. As demonstrated in my data and analysis, the result of the growing power of the chief executive has been presidentially-driven voting behavior by MCs. Throughout the 21st century, co-partisan MCs have systematically voted with the president at a growing rate compared to their expected values while out-partisan MCs have voted with the president at a shrinking rate compared to their expected values. While fluctuation may occur

between Congresses, the systematic trend of co-partisans voting at elevated levels with the president and out-partisans voting at decreased rates with the president demonstrates a fundamental change in how Congressional voting behavior should be understood. Presidents are key factors in understanding MC voting behavior and Congress in the 21st century. The result of the president in the current legislative process is MCs being forced to vote along partisan lines rather than weighing individual considerations. The new finding is not polarization in disguise as my model uses two methods to counteract its effects. Rather, the presidential effect is a newly discovered phenomenon that highlights the growing role of the chief executive.

One prime example of the evolved relationship between MCs and the president can be seen in the 117th Congress. There has been a significant amount of news regarding the relationship between President Biden and Senator Joe Manchin. Senator Joe Manchin has been at the center of many news articles because he has been pegged as the Democratic Senator who is not falling into line with the rest of the party. One article that positioned him at the fringe of the Democratic party took offense with his rejection of a Democratically-proposed spending bill.⁴⁸ The article is one of many that position Senator Manchin as being an outlier among Democrats and in constant conflict with the president's agenda. Though one should ask why Senator Manchin would vote with President Biden. If presidents did not dictate their party's position and if Manchin was truly acting in an individualistic capacity, there would be no reason to vote with President Biden. In 2020, former President Trump won West Virginia with 68.6% of the vote.⁴⁹ If Senator Manchin was solely interested in his reelection chances, he would not agree with President Biden at a high rate as he knows his constituency disapproves of his agenda.

⁴⁸ Mychael Schnell. "Democrats Outraged after Manchin Opposes Biden Spending Bill." *The Hill*. December 19, 2021.
<https://thehill.com/homenews/senate/586464-manchin-opposition-to-build-back-better-sends-shock-waves-through-political>.

⁴⁹ Alicia Parlapiano. "Presidential Election Results: Biden Wins." *The New York Times*. November 3, 2020.
<https://www.nytimes.com/interactive/2020/11/03/us/elections/results-president.html>.

However, as my data has shown, MCs align themselves with the president when it matters most - voting. While Senator Manchin may have tried to moderate various policies, it was the Biden administration that was dictating the topics of conversation and the pieces of legislation that were the focus of Congress. As reinforced by a model created by Bycoffe and Wiederkehra, they found that Senator Manchin agreed with the president 95.5% of the time in the 117th Congress.⁵⁰ Again, while our models varied slightly, the general trends were clearly observed in both the FiveThirtyEight model and my own. Thus, I can conclude that Senator Manchin is voting with the president at an incredibly high rate in the 117th Congress. The question must then be asked - why is Senator Manchin alienated for disagreeing with the president? While Senator Manchin agrees with the president at an incredibly high rate, the Senator from West Virginia has vocalized opposition to certain Biden administration initiatives that have caused the administration to rethink and re-evaluate their position. While it may seem as though the Senator is wielding more power than he should, I argue that the president is still the institutional actor driving and leading the discussion. Time and time again, the president has shown that he is taking control of every step of the legislative process. The president, even with a moderate Senator such as Manchin, is still setting the agenda for Congress, pushing bills through the legislative process, and dictating partisan priorities. For example, the Biden administration entered office requesting trillions be allocated to a variety of initiatives surrounding COVID-19 stimulus, jobs, and infrastructure. By the end of President Biden's first year, he had signed into law \$3.1 trillion of new spending - a testament to the executive's strength over Congress.⁵¹ While Manchin has raised concerns and caveats about the president's agenda, when it comes to voting, the Senator falls into line with his

⁵⁰ Anna Wiederkehra, and Aaron Bycoffe. "Does Your Member of Congress Vote with or against Biden?" *FiveThirtyEight*, March 9, 2022. <https://projects.fivethirtyeight.com/biden-congress-votes/>.

⁵¹ Nicholas F. Jacobs and Sidney M. Milkis. "Get Out of the Way: Joe Biden, the U.S. Congress, and Executive-Centered Partisanship During the President's First Year in Office" *The Forum* 19, no. 4 (2021): 709-744.

fellow co-partisan Senators. Senator Manchin's willingness to vote with the president should be striking for Congressional scholars who do not account for the role of the president because of how unpopular President Biden was in the 2020 election in West Virginia. However, when accounting for the role of the president, Manchin's behavior makes sense and follows the larger theoretical claim made by this thesis. While Senator Manchin is an important example to analyze, the data demonstrates that he does not stray from the partisan norm in voting - a key indicator that he is supporting the president's policy goals. Even among Senators who are perceived as being outliers, the model of co-partisan Senators supporting the president at higher rates than expected holds firm.

What should we expect going forward? It is important to begin by saying that I am not clairvoyant and have no ability to predict the future - nor can my data speak to anything except the Congresses I analyzed. That being said, we have observed a striking and significant trend take place in the legislative realm. Progressively through the 21st century, my data have shown that Senators are looking more toward the president to make voting decisions than sessions prior. MCs positioning themselves in relation to the president is creating a presidentially-driven type of polarization as MCs are looking to the president, rather than partisan cues to determine their position. The constant and growing trend highlights the growing importance of the president but also conveys a shortcoming of Congress. Congressional members are no longer the individualistic actors that they were once understood to be. MCs today consider the president's agenda and opinion when voting in a way that hasn't existed previously. While I rightfully stake a claim that the president must be considered when attempting to understand MC voting behavior, there is an institutional shortcoming that stems from the president's growth. Because Congressional members are becoming more constrained by the synonymous president and party

agenda, they are forced to lose touch with the districts they represent. While MCs will always say that they are acting on behalf of what is best for their constituents, the reality is that they are increasingly prioritizing what is best for the party - more specifically, what is best for the president. Even Senator Manchin, a firm moderate, has succumbed to the agenda of President Biden.

What we are witnessing is a loss of representative government. Parties have worked to break down the barriers of governmental institutions. Whereas Congress was supposed to act as an institutional check on the president, today, it acts on behalf of him. The growing power of the president was not maliciously intended, but rather opportunistically taken. There was a void in governmental duties and a partisan desire for centralized leadership. The presidency evolved to amass new responsibilities to the point that it has become so vital that both co- and out-partisans are forced to position themselves in relation to the president. Going forward, there are no indications that the growing influence of the president will slow or change in any meaningful way. Rather, I would expect to see a continuation of the phenomenon showcased in my findings. MCs will continue to position themselves in relation to the president. The end result will be an abandoning of the constituents that elected them into office in lieu of support for partisan presidential goals.

The evolved role of the president has fundamentally changed how we should think about government. We should no longer consider Congress to be an autonomous entity - but rather, held at the will of the president. Under periods of unified government, we expect to see the president's agenda be supported and passed by co-partisans in Congress while out-partisans will continue to strongly position themselves against the president's position. Meanwhile, during periods of divided government, out-partisans (majority in Congress) would be inundated with the

president's agenda, but would strongly reject his policy initiatives while co-partisan MCs would actively work to advance the president's policy positions. The voting behavior by MCs clearly demonstrates that they look towards the president to understand how they should vote on various pieces of legislation. Additionally, the president has taken a more active role in Congress where he no longer sets the agenda and hopes for Congressional support, but rather, he participates in nearly every aspect of the lawmaking process. The increased role of the president means that MCs should be understood as voting in relation to the president and his party. While prior literature such as works by Richard Fenno has outlined MCs as having various considerations such as creating good policy, reelection, and amassing power in Congress, I believe that the importance of presidential and party support has surpassed these other variables.

The question remains if the institutional changes that have occurred are good for our government and the country at large. I argue that the growth of presidential power is detrimental to our nation. One of the founding principles of the United States was fair and equal representation. Through an elaborate scheme, our founding fathers developed a bicameral legislative branch that was both responsive to its citizens and insulated from the whims of public opinion. While the legislative branch has not seen a drastic change since its inception, the growing role of the president has undermined the work of the branch. Rather than the legislative branch being composed of different members of Congress representing unique geographical locations, constituencies, and needs, it has become a body of individuals with the only meaningful distinction being that of partisan identity. The end result is a Congress that does not advocate on behalf of the American people but solely caters to the desire of the president. While the president is a nationally representative figure, he holds strong partisan agendas and does not have an equal interest in every Congressional district. Thus, Senators, who are obligated to do

the work of their State, have abandoned their Constitutional mandated duty. The growth of presidential power should give us pause as it comes at the cost of a representative and responsive Congress.

While this thesis aims to do no more than shed light on the newfound phenomenon, it is important to understand the ramifications of the growth of presidential power. In the future, I hope research can expand on my current findings. Most notably, the biggest void in my empirical work is that my data does not expand back past the 107th Congress. During the 107th Congress, all four groups that my research focused on fluctuated within two points of each other in terms of how they voted in relation to their predicted value. While my model tried to create an accurate prediction model, the obscure uniformity raises questions about what the 106th Congress and beyond may look like. Did MCs in the 20th-century vote with the president at near exactly the rate predicted? Only further research would confirm this hypothesis.

In closing, the major takeaway from this thesis should be that the president has been rapidly amassing power and is able to alter Congressional voting behavior. While increased presidential power has had a growing effect, the increased role of the president has placed more partisan pressure to secure the White House. The lengthy campaign to become president is a partisan acknowledgment of the position's importance in our government. While there may be some inherent benefits to streamlining the legislative process to cater to the president, I argue that the negatives outweigh the positives as the president's power over Congress has dampened MC representation to their constituents. Congressional members today are forced to position themselves in relation to the president rather than vote solely based on the needs of their constituents. While parties are representative of their constituents, Republicans and Democrats do not focus on specific districts or states like MCs were Constitutionally mandated to do.

Rather, parties act on behalf of their co-partisan president and their constituents at large - rather than specific subgroups. The nationalization of representation has forced MCs to lose touch with their specific districts in lieu of supporting or rejecting the position of the president. The dynamics of members of Congress positioning themselves in relation to the president is not polarization as conceptualized by party scholars. Rather, the polarization that is occurring today is one that is presidentially driven as MCs are forced to position their legislative behavior in relation to the president.

Reference List:

- Abramowitz, Alan I. "Economic Conditions, Presidential Popularity, and Voting Behavior in Midterm Congressional Elections." *The Journal of Politics* 47, no. 1 (1985): 31–43. <https://doi.org/10.2307/2131064>
- Aldrich, John H. *Why Parties?: A Second Look*. University of Chicago Press, 2011.
- Ansolabehere, Stephen, James M. Snyder, and Charles Stewart. "The Effects of Party and Preferences on Congressional Roll-Call Voting." *Legislative Studies Quarterly* 26, no. 4 (2001): 533–72. <https://doi.org/10.2307/440269>.
- Beckmann, Matthew N. *Pushing the Agenda: Presidential Leadership in U.S. Lawmaking, 1953-2004*. New York, NY: Cambridge University Press, 2010.
- Beckmann, Matthew & Vimal Kumar. "How presidents push, when presidents win: A model of positive presidential power in US lawmaking." *Journal of Theoretical Politics*. 2011.
- Binder, Sarah A.. *Stalemate: Causes and Consequences of Legislative Gridlock*. Brookings Institution Press, 2003.
- Binder, Sarah A., Eric D. Lawrence, and Forrest Maltzman. "Uncovering the Hidden Effect of Party." *The Journal of Politics* 61, no. 3 (1999): 815–31. <https://doi.org/10.2307/2647830>.
- Bycoffe, Aaron. "Introducing the Trump Score." *FiveThirtyEight*, FiveThirtyEight, 30 Jan. 2017, <https://fivethirtyeight.com/features/introducing-the-trump-score/>.
- Bycoffe, Aaron. "Tracking Congress in the Age of Trump." *FiveThirtyEight*, January 13, 2021. <https://projects.fivethirtyeight.com/congress-trump-score/>.
- Campbell, James E. "Presidential Coattails and Midterm Losses in State Legislative Elections." *The American Political Science Review* 80, no. 1 (1986): 45–63. <https://doi.org/10.2307/1957083>.
- Canes-Wrone, Brandice. *Who Leads Whom?: Presidents, Policy, and the Public*. Chicago, IL: University of Chicago Press, 2006.
- Edwards, George C. "Presidential Influence in the House: Presidential Prestige as a Source of Presidential Power." *American Political Science Review* 70, no. 1 (1976): 101–13. doi:10.2307/1960326.
- Fenno, Richard F. Jr. *Congressmen in Committees*. Little, Brown. 1973.
- Grossmann, Matthew, and David A. Hopkins. *Asymmetric Politics: Ideological Republicans and Group Interest Democrats*. Oxford University Press, 2016.
- Hendricks, Galen, Seth Hanlon, and Michael Madowitz. 2019. "Trump's Corporate Tax Cut Is Not Trickling Down." *Center for American Progress*. September 26, 2019. <https://www.americanprogress.org/issues/economy/news/2019/09/26/475083/trumps-corporate-tax-cut-not-trickling/>.
- Hershey, Marjorie. *Party Politics in America*. Pearson Longman, 2005.
- Jacobs, Nicholas F. and Sidney M. Milkis. "Get Out of the Way: Joe Biden, the U.S. Congress, and Executive-Centered Partisanship During the President's First Year in Office" *The Forum* 19, no. 4 (2021): 709-744.
- Jacobson, Gary C.. *Presidents and Parties in the Public Mind*. The University of Chicago Press, 2019.
- Jacobson, Gary. "Barack Obama and the nationalization of electoral politics in 2012." *Electoral Studies*, 2014.

- Keller, Morton. *The Unbearable Heaviness of Governing: The Obama Administration in Historical Perspective*. Stanford, CA: Hoover Institution Press, 2010.
- Kessel, John Howard. *Presidents, the Presidency, and the Political Environment*. Washington, DC: CQ Press, 2001.
- Leip, David. *Dave Leip's Atlas of U.S. Presidential Elections*. <http://uselectionatlas.org> (2022).
- Lewis, Jeffrey B., Keith Poole, Howard Rosenthal, Adam Boche, Aaron Rudkin, and Luke Sonnet (2022). *Voteview: Congressional Roll-Call Votes Database*. <https://voteview.com/>
- Lieberman, Robert C., Suzanne Mettler, Thomas B. Pepinsky, Kenneth M. Roberts, and Richard Valelly. "The Trump Presidency and American Democracy: A Historical and Comparative Analysis." *Perspectives on Politics* 17, no. 2 (2019): 470–79. doi:10.1017/S1537592718003286.
- Light, Paul Charles. *The President's Agenda: Domestic Policy Choice from Kennedy to Clinton*. Baltimore, MD: Johns Hopkins University Press, 1999.
- Mayhew, David R.. *Congress: The Electoral Connection*. Yale University Press, 2004.
- Milkis, Sidney M.. and Nicholas Jacobs. "'I Alone Can Fix It' Donald Trump, the Administrative Presidency, and Hazards of Executive-Centered Partisanship" *The Forum*, vol. 15, no. 3, 2017, pp. 583-613.
- Moe, Terry M., and Scott A. Wilson. "Presidents and the Politics of Structure." *Law and Contemporary Problems*, 57 (2), 1-44.1994.
- Neustadt, Richard E.. *Presidential Power and the Modern Presidents: The Politics of Leadership from Roosevelt to Reagan*. The Free Press, 1991.
- Parlapiano, Alicia. "Presidential Election Results: Biden Wins." *The New York Times*. November 3, 2020. <https://www.nytimes.com/interactive/2020/11/03/us/elections/results-president.html>.
- Pfiffner, James P. *The Strategic Presidency: Hitting the Ground Running*. Lawrence, KS: University Press of Kansas, 1996.
- Pritchard, Anita. "Presidents Do Influence Voting in the U. S. Congress: New Definitions and Measurements." *Legislative Studies Quarterly* 8, no. 4 (1983): 691–711. <https://doi.org/10.2307/439706>.
- Reeves, Andrew, and Douglas Kriner. *The Particularistic President Executive Branch Politics and Political Inequality*. Cambridge University Press, 2015.
- Schnell, Mychael. "Democrats Outraged after Manchin Opposes Biden Spending Bill." *The Hill*. December 19, 2021. <https://thehill.com/homenews/senate/586464-manchin-opposition-to-build-back-better-sends-shock-waves-through-political>.
- Smith, Laura Ellyn. "Trump and Congress." *Taylor & Francis*, April 2021. <https://www.tandfonline.com/doi/full/10.1080/01442872.2021.1955849?scroll=top&needAccess=true>.
- Sullivan, Sean. "Schumer: Democrats 'Blew' Opportunity by Focusing on 'Wrong Problem' - Health Care." *The Washington Post*. WP Company, November 26, 2021. Last accessed at : <https://www.washingtonpost.com/news/post-politics/wp/2014/11/25/schumer-democrats-blew-opportunity-by-focusing-on-wrong-problem-of-health-care/> on March 4, 2022

UCLA Political Science Department. *Voteview*, <https://voteview.com/congress/senate>.

United States Senate. "Veto, 1789 to Present." *U.S. Senate*, August 4, 2021.
<https://www.senate.gov/legislative/veto/vetoCounts.htm>.

Volden, Craig, and Alan Wiseman. "Center for Effective Lawmaking." *Center for Effective Lawmaking*, 2022.
<https://thelawmakers.org/data-download>.

Wiederkehr, Anna, and Aaron Bycoffe. "Does Your Member of Congress Vote with or against Biden?"
FiveThirtyEight, March 9, 2022. <https://projects.fivethirtyeight.com/biden-congress-votes/>.

Woolley, John, and Gerhard Peters. "OMB: Statements of Administration Policy: The American Presidency Project." *The American Presidency Project*, 2021.
https://www.presidency.ucsb.edu/documents/app-attributes/omb-statements-administration-policy?items_per_page=40&page=3.