

# CONGRESSMEN'S VOTING DECISIONS

SECOND EDITION

JOHN W. KINGDON



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**JOHN W. KINGDON**

The University of Michigan



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***To Kirsten, James, and Tor***

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## Preface to the Second Edition

I have decided to revise *Congressmen's Voting Decisions* for essentially two reasons. First, since the data for this study were originally gathered in 1969, several dramatic changes have occurred in Congress. There has been a wholesale turnover in the House of Representatives, both through defeat of incumbents and through voluntary retirements. Partly because of that turnover, several practices of the House have undergone rather substantial revision. The seniority system for selecting committee chairs, for instance, has been seriously eroded. Rules changes have provided for the ratification of committee and Appropriations subcommittee chair nominations by the majority party caucus and for the election of subcommittee chairs by the majority party members of the parent committee. Using those rules changes, three committee chairs were dumped in 1975, and relatively junior members have been elected subcommittee chair.

Other changes have occurred. The sheer number of floor voting decisions has increased dramatically. The numbers of staff on the Hill have also increased, in personal and committee staffs and in staff agencies responsible to the Congress. Subcommittees have been strengthened and made more autonomous. The Nixon administration came to its ignominious end with the Watergate scandal and with the Ford and then the Carter administrations succeeding Nixon's. There appeared to be a substantial rise in the numbers and intensity of single-issue interest groups, combined with a decline in party. And incumbents were winning by even larger margins than they had previously.

All of these changes and others raise the possibility that in some respects, the conclusions of a book written on the basis of information gathered in 1969 might be out of date. I have therefore taken the occasion of the second edition to update the original conclusions of the book at several points. As the reader will see, most of the conclusions emerge from this second look rather encouragingly intact. If anything, their persuasiveness has been enhanced by the passage of these dramatic events, rather than diminished. In the few cases in which generalizations have been found in need of modification in light of subsequent events, I have discussed those modifications.

The second major purpose for revising the book is that I have done some further thinking about the processes of decision described in the first edition, which would have occurred as an analytical matter independent of changes in Congress. An earlier version of that further work was found in the *Journal of Politics*

(August 1977), and I wish to thank the *Journal* for their permission to include material from that article. Thus, Chapter 10 and Appendix F have been rather thoroughly revised in light of that new analysis.

Other changes appear throughout the book. I think that the fundamental character of the book has not been altered. I hope that readers who liked the first edition will find that a good book has been made better. At least, that was my purpose.

John W. Kingdon

## Preface to the First Edition

This book reports the results of a research project which was designed to explore how congressmen make their decisions when voting on the floor of the United States House of Representatives. The study is based primarily on interviews which concentrated on given decisions which congressmen had recently been called upon to make. Rather than asking a congressman to discuss decision-making in general, I asked him to give a kind of life history of one specific decision, the political actors to whom he paid attention, and the considerations he weighed in making his decision. I could then generalize from these instances about the importance of various actors and about the decision rules which were being employed.

During the process of designing and carrying out this research and writing this book, I have greatly benefited from the help so generously offered by a number of individuals and institutions. I owe a special debt of gratitude to the many congressmen, staff members, journalists, lobbyists, and other observers who gave so freely of their time to talk to me during the field stages of this research in 1969. Since I promised them their anonymity, I cannot acknowledge their contributions by name, but my gratitude is great nonetheless.

I want most particularly to express my deep appreciation to Ralph Huitt, both for his helpful suggestions about this research and for his encouragement and stimulation through the years. I am much indebted to Richard Fenno, Robert Peabody, and Herbert Weisberg, who provided many useful suggestions from the very beginning of this research and who made many extremely helpful comments on an earlier draft of this book. I am grateful to Herbert Asher and Robert Jervis for offering their own perceptive criticisms of that earlier version and to Ronald Brunner for his very useful commentary on portions of the manuscript. At various times during this research, I have also profited from the counsel of

various colleagues at the University of Michigan and elsewhere, among them Donald Stokes, Warren Miller, Leslie Kish, and Lewis Froman. Students at the University of Michigan have been a continuing source of ideas and stimulation. I also share with other observers of politics a great intellectual debt to Lewis Dexter.

I am happy to acknowledge generous grants from the Social Science Research Council for field work and initial analysis and from the Ford Foundation for the final stages of this study. I am grateful to the Brookings Institution in Washington for an appointment as Guest Scholar and for the gracious hospitality tendered me while I was there. I have been very pleased with help given by Suzanne Hart, an able and conscientious research assistant. Mary Lou Gaul typed two versions of the manuscript with her usual high level of competence.

This book is dedicated to my wife, Kirsten, and to my sons, James and Tor. My life is much the richer for their companionship.

John W. Kingdon

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# **Introduction**





## Introduction

*Congressman:* I actually taught political science years ago, and I didn't know a thing about Congress until I came here. It seemed like the whole idea in political science was to take the politics out of it. You sure got an inaccurate picture.

*Kingdon:* That's why some of us recently have been coming here to find out how congressmen behave.

*Congressman:* If we do.

How do legislators make decisions? That question is of considerable interest to wide varieties of people. The casual but interested political spectator, to whom politics is a fairly murky realm filled with intrigue and backroom dealings, notices any tidbits of scandal that reveal the "real" process, sizes up his representatives' positions in terms of his own, and follows the progress of close and highly visible legislative battles. The mass media fill their pages and the public airwaves with provisions of the latest major bill to pass the Congress, progress of the current legislative battles, statements of leading congressmen on the issues of the day, and feature stories which attempt to "get behind" the public facade and report what is "really" happening. Bureaucrats, who have spent weeks, months, and years devising legislative proposals, scratch their heads in amazement as legislators twist, contort, mangle, and even entirely reverse the product of their hard labors. Lobbyists and interest groups of every description calculate what legislators are likely to accept, consider how they can achieve their goals through the legislative process, decide which strategies work and which do not, and assess the reasons for their successes and failures in shaping legislative decisions in accordance with their wishes. Scholars are interested in legislative decisions, partly because elected legislators stand at the center of the relationship between the people and their government. And congressmen themselves occasionally pause in the bustle of daily events to ask, "Now, why did I do that?"

One interesting kind of legislative decision is that which a

legislator makes as he casts his votes on the floor of the body to which he has been elected. The final points of decision in an American legislature are the votes which take place during consideration by the whole chamber. What transpires on the floor of a legislature defines the end product of the law-making apparatus. The whole chamber is also the ultimate arbiter of conflicts which take place within the body. Thus, floor voting is important in its own right.

Beyond that, however, floor voting decisions also influence the behavior of committees and other actors in the political system. Fenno maintains, for example, that as powerful a committee as the House Appropriations Committee acts as a subsystem of the whole House, within the boundaries set for it by the parent body.<sup>1</sup> To the extent that standing committees attempt to anticipate what will happen to their proposals on the floor, it can be said that the whole House has influenced the committees' actions. Similarly, administrators anticipate "what will go" in Congress when formulating their proposals, by judging both the likely response of the committees and the more general mood on the Hill.<sup>2</sup>

Voting on the floor not only is central to an understanding of policy-making, but also is of importance in the larger polity. When a congressman casts his vote, he is highly visible. Various interest groups use his votes to determine whether he is a "good" congressman deserving of their support. The reaction of his constituents, at least of the more attentive ones, is based to a degree upon his voting record. The congressman himself pays some attention to the political consequences which follow from having a voting record of one general description or another. Beyond the individual congressman, furthermore, the general voting records of the parties in Congress are ready cannon fodder in a nationwide election year.

A study of legislative voting on the floor should also have some relevance for the understanding of many other sorts of political decisions. It would seem unlikely that a legislator would make his voting decisions in a fashion totally unlike his many other decisions. Becoming better acquainted with congressmen's floor decisions, then, may help us to understand committee behavior, decisions to take certain kinds of public stands apart from the voting context, and other kinds of important political behavior.

Legislative voting, finally, is not devoid of more general human

interest. The basic problem which a congressman faces in his voting is quite general to the human condition. As a nonexpert who is obliged to make unavoidable decisions about matters in which he is little schooled and to which he is able or willing to devote only limited time and attention, how does he go about making up his mind? How are the alternatives presented to him and how does he choose among these alternatives? How does he handle political and psychological conflict? The answers to such questions would speak not only to the political topics just discussed, but also to more general notions of decision-making and information-processing.

This book reports on empirical research designed to discover how congressmen make their decisions when voting on the floor of the U.S. House of Representatives. It investigates such matters as their sources of information and vote cues, their decision rules, and the importance of various actors (e.g., constituents, interest groups, administration) in floor votes. The study is based primarily on extensive interviews conducted throughout the first session of the Ninety-first Congress (1969) with congressmen and with others who are close to the process. The conclusions have been updated where appropriate.

## **SOME GENERAL CONSIDERATIONS**

There are a number of political actors—constituents, party leaders, administration, fellow congressmen, and the like—who may have some influence on legislative voting decisions. It would be interesting to know how important these actors are, both taken singly and in relation to one another, a task to which Part II of this book is directed. More general propositions about decision-making are not tied so specifically to these actors. These interests include the congressman's general modes of decision, his search for information, the place of ideology and past voting history, various constraints on decision-making, and the flow of information within the system. A discussion of these points is found in Part III. Finally, one would also want to know not only what the general patterns appeared to be, but also what degrees and kinds of variation there were.

### **The actors**

The legislative process has been interpreted in a number of ways throughout the years. Congressional decision-making has

been conceived alternatively as following the leads of political parties, the executive branch, the constituencies of the members, colleagues within the legislature, interest groups that present their demands, and perhaps other actors in the system. Legislative studies have tended to concentrate separately on the place of each of these actors in the legislative system. We therefore have a rich literature on representation of constituents, another literature on parties, another on interest groups. The research reported in this book attempts to pull together these various political actors into one design and, thus, to treat somewhat more comprehensively their importance in the context of voting decisions, providing some information on the extent to which and the ways in which each of these actors influences voting decisions.

One logical beginning is the constituency. Congressmen are first nominated and elected in local districts, and serve at the pleasure of their constituents. Many of their contacts with the political system at large are with constituents. There is already an extensive literature on the place of constituencies in the legislative process.<sup>3</sup> An interesting question, therefore, is the extent to which and the conditions under which the constituency plays a part in congressmen's voting decisions on the floor of the House. What do they think their constituents want them to do, and do they heed these wishes? How do they reach their conclusions about what their constituents want? Are the attentive, active constituents different from others, and what impact does this have? What are possible mechanisms of constituency influence?

Once they are elected with a given constituency base, congressmen interact with their colleagues in the House. It has long been held that congressmen specialize, and then turn to each other for guidance in areas outside their own specialty.<sup>4</sup> Scholars have also recently studied the patterns of informal communications within legislative bodies.<sup>5</sup> Fellow congressmen could be expected to have some influence on voting because they are readily accessible to the deciding congressman, and because he can learn through experience who can be trusted to give him reliable substantive and political information about the pending legislation. Consequently, it is important to know how often, and under what conditions, a congressman pays attention to the advice of his colleagues. How does he choose his informants in the House—does he pick those who agree with him substantively,

who are on the committee that considered the bill, who are from his state delegation? What kinds of interactions are involved—face-to-face conversations, listening to the debate, reading the committee report? How do the patterns vary from one subgroup of congressmen to another?

One particular set of colleagues has had a special place in political science literature: the House leadership, both party and committee leadership. We know a good deal about the operations of the party leadership,<sup>6</sup> and about the place of standing committees in the legislative process.<sup>7</sup> It is important, then, to understand the place of the party and committee leadership in voting decisions. How often and when does the leadership become involved? How much influence do congressmen in leadership positions have over their fellow members? What are the patterns in the relationships between committees and the whole House?

Since interest groups have long been considered important in the thinking of both academic and nonacademic observers of the legislative process,<sup>8</sup> it is natural to consider them as possible influences on congressmen's votes. When and how are they important? What strategies do they employ and with what effectiveness? How much do they work indirectly through other actors in the legislative system such as friends in Congress and constituents, and if they do so, why?

Somewhat akin to interest groups, in the sense that they also want to influence legislative outcomes, are the administration and executive branch. The administration differs from lobbyists, however, in the greater degree of public exposure which the president and cabinet officers are capable of attracting, in their ability to call upon the expertise of the federal bureaucracy, and in the unique place which the president has in the thinking of his own party's congressmen. The relationship between the executive and legislative branches has long captured the attention of students of American government.<sup>9</sup> It may be relevant, therefore, to discover how often the administration takes a position, what attempts are made to see that position enacted, and with what success. When does the administration become involved in congressmen's thinking? How much do administration officials contact congressmen personally, and on whom do they concentrate? How much do they work indirectly through other actors in the system such as the party leadership, committee members, and mass media?

Another possible influence on votes is the congressional staff,

including staffs of individual congressmen, the committees, and the leadership. How extensively are they consulted, when, and to what effect? Do they have some kinds of indirect influence, and if so, of what types?

Finally, congressmen's reading and listening may affect their votes. They may pay attention to the printed and broadcast mass media, and they do have available other kinds of reading, such as committee reports and more detailed information. What kinds of media and publications do they follow? How important are their reading and listening? What kinds are influential, how often, and under what conditions?

### **General Decision-making**

Beyond an actor-by-actor mode of analysis, a study of congressional decision-making would seek to understand and develop propositions about some more general aspects of decision-making. One of these general aspects is information flow and search. The decision rules of congressmen probably have some consequences for the patterns through which information flows in the legislative system. Do the legislator's way of deciding and the actors which he does or does not seriously consider play a part in structuring communications nets in the larger system, and if so, how? What are the congressman's major sources of information, and through what paths does it reach him? Apart from information which comes to him, what sources and kinds of information does the member seek out, through what means, and with what results?

A theory of congressional decision-making should also be addressed in part to what may be a dominant mode of decision. Several such decision models have been developed.<sup>10</sup> It may be true that the average congressman makes up his mind according to a certain mode of decision, or in an identifiable sequence of steps. We would want to discover if there is such a dominant mode, and what the alternative modes might be. Not only would these models of decision be interesting for their own sake, but they might help us understand the way politics is conducted in the larger political system. If most congressmen decide in a given manner, for instance, do those who wish to influence legislative outcomes adapt their behavior to the congressmen's decision rules; if so, how, and with what implications for our understanding of politics generally?

The place of the legislator's own policy attitudes or ideol-

ogy is another general theme with considerable potential interest. Patterned dimensions of legislative voting have been discovered,<sup>11</sup> leading to the logical inference that congressmen can at least be conceived as voting ideologically. Others have argued, however, that ideology is an inadequate guide to decision, since it is difficult to connect one's general policy attitudes with specific bills or amendments, since congressmen often do not have well-formed or intense opinions on many subjects before them, and, even if their opinions are well defined, they still need the advice of specialists in areas not immediately within their own competence.<sup>12</sup> Thus, an interesting question is the extent to which legislators' own attitudes on questions of public policy are important influences on their votes. If so, how do they translate attitudes into votes? If not, why not, and what might take the place of ideology?

Congressmen and other governmental decision-makers have also often been portrayed as deciding according to an incremental method.<sup>13</sup> They presumably take their past behavior as given, and their basic exercise is to preserve continuity or to consider only modest changes from their past behavior. If this is an accurate picture, then the congressman's voting history could be quite important in the consideration of present votes.

Constraints on decision are also among the general aspects of decision-making. It is possible to see the larger political system, or given sets of actors within it, as setting constraints on congressmen. Rather than conceiving the legislator as being influenced in some positive way, or as having his vote caused by a set of actors or forces, we might rather view the process as one in which these actors or forces set limits or boundaries within which congressmen are obliged to operate. Under what conditions does the congressman's constituency, for instance, influence him to vote in a certain way? If the constituency does not do so, can it at least be said that it obliges him *not* to vote in certain ways?

Finally, stepping back from the actual process of choice, the prior steps of agenda-setting and alternative-specifying are also of vital importance. Why are certain subjects added to the decisional agenda in the first place and why are others omitted, and with what consequences? Once a subject is on the agenda, how is it determined which alternatives will be seriously considered and which will be discarded? Which actors in the political system appear to be most important in these stages of decision-making?



## **Variations**

Clearly, we want to know not only what the general patterns of actor importance and decision rules are, but also what variations exist within these patterns and what appears to account for such variations. One congressman, in fact, told me early in my research that I would find as many ways of making decisions as there are congressmen. While I have not found the process to be quite so complex as that, analysis of the variations is still a question of considerable interest. At least as interesting as the extent of each actor's influence, for instance, are the conditions under which each is influential. The structure of variations in the general aspects of decision-making is also important. Are high-salience issues, for example, different from those of lower salience? Do congressmen from one type of district decide differently from congressmen from other types? Does a freshman congressman decide according to criteria and cue sources which differ from those utilized by his more senior colleague? What differences exist among congressmen because of party affiliation or size of the state party delegation? (The standard independent variables used in this study are discussed in more detail in Appendix D.)

At any rate, in this introductory discussion of the actors, the general decision-making process, and variations, I have reviewed the kinds of questions to which a study of legislative decision-making might be directed. These questions were among those with which my own study began, and thus constitute a preview of the subjects which are considered in the pages of this book.

## **WAYS OF STUDYING LEGISLATIVE VOTING**

If one is interested in studying legislative voting, there are a number of approaches which have been or could be taken. Two of the most prominent are roll call analysis and standard survey techniques.

Social scientists have traditionally studied legislative voting by analyzing roll call data. This rich body of material, perhaps unique in the field of political science, combines the singular virtues of being "hard" quantified data, while at the same time being readily accessible in published documents. We have learned a good deal about congressional voting from roll call data. The bloc structure in voting has been explored.<sup>14</sup> The major