

# CONGRESSIONAL QUARTERLY

Women and  
Minorities Surge  
to Power

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Nixon's  
Congressional  
Legacy: New  
Checks on the  
Executive

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Health Care Debate  
Stretches Between  
Two Poles

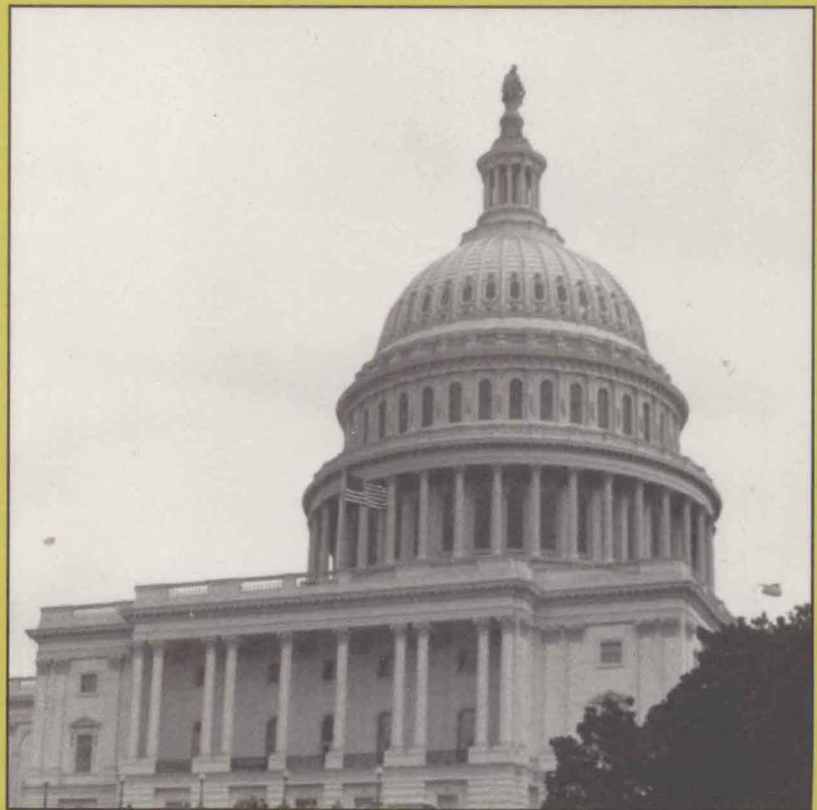
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Clinton and  
Congress Wrestle  
with the  
Use of Force

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Campaign '94: Voter  
Discontent Haunts  
Midterm Elections

## Guide to Current American Government



CQ

FALL 1994

**CQ GUIDE TO**  
**CURRENT AMERICAN**  
**GOVERNMENT**

**Fall 1994**

**Congressional Quarterly Inc.**  
**Washington, D.C.**

## Congressional Quarterly Inc.

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**CQ GUIDE TO**  
**CURRENT AMERICAN**  
**GOVERNMENT**

**Fall 1994**

# Introduction

Congressional Quarterly's *Guide to Current American Government* is divided into four sections—foundations of American government, political participation, government institutions, and politics and public policy—that correspond with the framework of standard introductory American government textbooks. Articles have been selected from the *Congressional Quarterly Weekly Report* to complement existing texts with up-to-date examinations of current issues and controversies.

*Foundations of American Government.* An article in this section reflects on the presidency of Richard Nixon. The former president, who died April 22, 1994, will be remembered for Watergate, his forced resignation, and foreign policy breakthroughs with China and the Soviet Union. But one of his most enduring legacies may be the lasting impression he made on the relationship between the president and Congress.

*Political Participation.* This section addresses parties, voters, and interest groups. Focusing on the fall 1994 midterm elections, it begins with a discussion of one of the most embattled groups in American politics today: incumbents. Beseiged by anti-incumbent sentiment, freshmen and veteran officeholders alike braced themselves for a tumultuous November. But incumbents had more to worry about than anti-incumbent sentiment, as the stories on incumbent vulnerability demonstrate.

Next, a related article explains why House incumbents raised money in record amounts and underscores the fundraising advantage incumbents have over less well financed challengers.

A pair of stories then takes the pulse of the political parties. As the majority party, the Democrats benefit most from the incumbents' fundraising edge. They also have the support of an activist president eager to reverse a well established trend: midterm elections usually result in losses for the party in power. Presented with a large number of open seats, Republicans sought to keep that tradition alive.

In a story on public opinion, voters put Congress on notice that they will not be ignored. If incumbents are to be reelected, they must please the voters first, and that means moving quickly on a number of fronts, including crime, health reform, and Whitewater.

In recent elections, voters have favored women and minority candidates. A pair of stories chronicles the surge of these groups in the polls while pointing out that the 1994 election season may be nothing like the breakthrough season of 1992, when women almost doubled their representation in Congress and the number of minority officeholders swelled by over 50 percent.

In order to win once again, women and minorities, like all candidates, must please diverse constituencies, including interest groups such as Ross Perot's United We Stand America and the Home School Legal Defense Association. Not least among candidates' worries is fending off challengers who command not only widespread grass-roots support but the airwaves as well: radio talk show hosts. These issues are taken up in the final three stories of this section.

*Government Institutions.* At the end of his first year in office, President Clinton had much to be proud of. With the help of a Democratic Congress, he succeeded 86.4% of the time in passing his legislative package, a first-year record surpassed only by Presidents Eisenhower and Johnson. The lead story in this section analyzes the reasons for the president's enormous success and places it in perspective. CQ editors also examine the politics behind the nomination of Stephen G. Breyer to the Supreme Court and look at the administration's plan to reinvent government, focusing in particular on the reorganization of the Agriculture Department.

*Politics and Public Policy.* The preeminent issues of the day are how to configure health care reform and how to pay for it. Three articles on health care reform are accompanied by timely readings that describe the federal budget, welfare reform, telecommunications policy, community policing, and Clinton's foreign policy.

By reprinting articles largely as they appeared originally in Congressional Quarterly's *Weekly Report*, the *Guide* provides students of American government a sample of the same reporting and analysis of contemporary issues upon which Washington decisionmakers rely. The date of original publication is noted with each article to give the reader a time-frame for the events that are described. Although new developments may have occurred subsequently, updates of the articles are provided only when they are essential to an understanding of the basic operations of American government. Page number references to related and background articles in the *Weekly Report* and the *CQ Almanac* are provided to facilitate additional research on topical events. Both are available at many school and public libraries.

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# ***FOUNDATIONS OF AMERICAN GOVERNMENT***

The separation of powers established in the U.S. Constitution has resulted in continual sparring matches between presidents and members of Congress. Presidential-congressional conflicts have deep electoral and institutional roots. The principal basis for executive-legislative conflict is that the president and members of Congress have different constituencies—states or districts for senators and representatives, a national constituency for the president. It is not surprising then that the president and members of Congress bring to their offices quite dissimilar perspectives. Members of Congress worry about how proposed policies will affect the folks back home, while the president looks at issues from a more national perspective.

As for institutional sources of conflict between the president and Congress, the Constitution interweaves executive and legislative functions, giving the president such legislative powers as the veto and Congress the authority to confirm major presidential appointments and ratify treaties. Under such conditions, struggles for influence between these two coequal branches of government are bound to erupt.

CQ editors begin this edition of the *Guide* with a reflection on the Nixon presidency, which was characterized by an ongoing tug of war between the executive and legislative branches. As we will see, during Nixon's first term that tug of war ended in a draw. But during his abbreviated second term, as the details of Watergate were made public, Congress gained the upper hand.

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## THE PRESIDENCY

# Nixon's Congressional Legacy: New Checks on the Executive

Discussions of Richard M. Nixon's presidency usually begin with Watergate and his forced resignation, moving on to his foreign policy breakthroughs with China and the Soviet Union. But just as enduring a legacy may be found in the power relationship of the president and Congress, which still shows the marks of Nixon's time in office.

Nixon's vision of his office fit the pattern historian Arthur M. Schlesinger Jr. described as "the imperial presidency." Congress reacted by expanding its own influence into areas previously reserved for the executive, including war powers and budget policy.

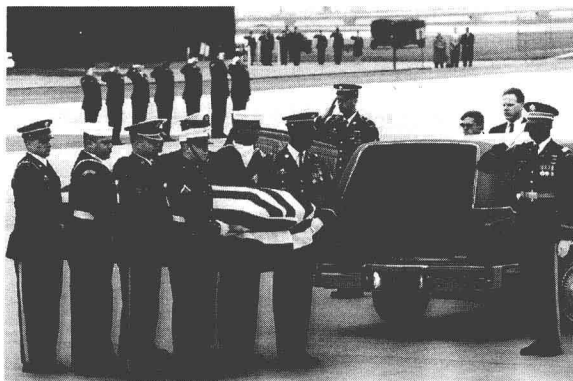
Conflict between the two branches was evident from the start of Nixon's presidency. Nixon had won a three-way race for the White House in 1968 with only 43 percent of the vote (the same circumstance and vote share as Bill Clinton would have in 1992). And as he took office with this limited mandate, he had a Democratic Congress to work with and the challenge of Lyndon B. Johnson's Vietnam and Great Society policies to address.

Nixon reacted to those perilous circumstances with bold, even compulsive grabs for power. In both foreign and domestic policy, Nixon viewed himself and his office as pre-eminent, even above the law.

"I had thrown down a gauntlet to Congress, the bureaucracy, the media, and the Washington establishment," Nixon recalled in his memoirs, "and challenged them to epic battle."

Congress responded in kind. Roughed up over the years by Nixon's politically sharp elbows, Democrats on Capitol Hill reacted warily even to innovative Nixon initiatives on issues such as welfare reform and health care.

During his first term (1969-1973), the tug of war between the legislative and executive branches essentially



Honor guard accompanies Nixon's casket at Stewart Air Force Base in New York. The former president died April 22 in New York City.

REUTERS

ended in a draw. Nixon generally received what he wanted in foreign affairs and national security, while the Congress succeeded in strengthening some domestic programs that it held dear.

But during Nixon's abbreviated second term (1973-1974), Congress clearly gained the upper hand. Nixon often had sought advantage through the element of surprise, announcing policies to Congress at the same time he announced them to the nation via television. Where he could, Nixon acted unilaterally.

Nixon lost that latitude as the lengthening shadow of Watergate darkened his presidency. Congress responded by expanding its staff and supporting bureaucracy and by passing laws to limit the powers of the president — laws that remain in place today.

## War Powers

The most striking example of congressional assertion in foreign policy was the War Powers Resolution. Designed to force the president to seek congressional approval for any extended military involvement, it passed over Nixon's veto in 1973.

The measure set a 60-day limit on the commitment of U.S. troops abroad without congressional consent. It permitted Congress at any time by concurrent resolution to direct the president to disengage troops involved in an undeclared war.

The measure was spurred by Nixon's April 1970 military "incursion"

into Cambodia. Congress had not been consulted and even some supporters of the president were disturbed at the procedure.

Legislative initiatives sprang up, culminating three years later in passage of war powers legislation in 1973 that had the support of members across the political spectrum. Nixon argued that the War Powers Resolution was both dangerous and unconstitutional. He argued that its major provisions would "take away, by a mere legislative act, authorities which the president has properly exercised under the Constitution for almost 200 years."

But both houses voted to override his veto.

The House and Senate could not agree on a resolution before then, although by early 1973 it was evident that a congressional consensus was developing. Congress for the first time that spring took action to stop a U.S. military action in the Vietnam War.

The House, reluctant to buck the president on military policy in the past, voted to end the bombing of Cambodia. The Senate agreed and the president reluctantly signed the legislation that halted the bombing in August 1973.

## Budget and Staff

It was not long before Congress also was reasserting itself on the domestic front as well.

The Congressional Budget and Impoundment Control Act of 1974 created a new budget process that specifically restricted the president's power to withhold funds already appropriated by Congress. This "impoundment" power had been used by earlier presidents, but when Nixon began using it openly to flout legislative decisions he disagreed with, Congress stripped it away.

Nixon argued that he was withholding funds only as a financial management technique, primarily to slow inflation through temporary reductions in federal spending. Congressional Democrats argued that impoundments imposed Nixon's priorities in defiance of laws passed by Congress.

Congress also was spurred to action by persistent federal budget deficits and by inflation rates considered alarming at the time. Congressional leaders concluded that they had to put their fiscal procedures in order if they were to hold their own in future budget policy battles.

The new budget procedures were a marked departure from the haphazard

ways that Congress had customarily revised presidential budget proposals. Lacking any structured budget review system, Congress traditionally had acted on presidential funding proposals in many separate measures — usually voting to increase program spending — without pausing to consider the effects they would have on total spending, taxes and the resulting budget balance.

The 1974 budget law changed that by setting up House and Senate Budget committees, advised by a staff of experts, to analyze the president's budget and recommend a fiscal policy to Congress. It also created an independent Congressional Budget Office (CBO), for the first time giving it a capacity to make its own economic forecasts, deficit estimates and program cost projections.

The new budget law had dramatic side effects. As the number of congressional committees increased, so too did the size of congressional staff.

### Campaign Reform

Probably the most direct outgrowth of Watergate was the quick and dramatic overhaul of the nation's campaign finance laws.

Large individual and corporate donations had been at the center of the Watergate scandal, as largely unreported private contributions financed the illegal activities of the 1972 Nixon re-election campaign (the Committee to Re-elect the President). With disclosure of these contributions came calls for sweeping campaign finance reform.

The 1974 law tightened disclosure requirements, set low contribution limits for all campaigns for federal office, established public financing for presidential primary and general-election campaigns and created the Federal Election Commission to enforce the law.

The bill passed the House just hours before Nixon announced, on Aug. 8, 1974, that he would resign the presidency as of noon the next day.

Congress tinkered with the law in 1976 to meet Supreme Court objections. But that year's presidential campaign was conducted in an envi-

ronment almost totally different from four years earlier, when there were loose, largely unenforceable controls on campaign money.

### Independent Counsel

The independent counsel statute was spawned by another aspect of Watergate, the firing of special counsel Archibald Cox on Nixon's orders in October 1973 (after Nixon refused to turn over tapes that Cox requested).

The event, dubbed the "Saturday Night Massacre," resulted not only in

tigation and any related prosecution.

The law was reauthorized in 1982 and 1987, but it lapsed in late 1992 due to Republican opposition. Many Republicans viewed the law as a Democratic weapon against GOP administrations and were particularly angered by the lengthy and expensive Iran-contra investigation by independent counsel Lawrence E. Walsh.

Independent counsels such as Walsh operate outside the control of the Justice Department, in contrast to special prosecutors who are appointed by the attorney general.

When Republicans clamored for an independent investigation of Bill and Hillary Clinton's investment in the Whitewater real estate project, Attorney General Janet Reno had no legislative authority to call for an independent counsel and instead named Robert B. Fiske as special prosecutor in January.

The House finally did pass legislation to reauthorize the independent counsel statute in February after it won Senate approval last fall. The new bills are headed to conference. They include guidelines to control the cost of investigations and make clear that the attorney general may recommend independent prosecutors for cases involving members of Congress.



DEV O'NEILL

Nixon delivers his last State of the Union address on Jan. 30, 1974.

the sacking of Cox, but the resignation of Attorney General Elliot L. Richardson and the firing of his deputy, William D. Ruckelshaus, for refusing to carry out the presidential dictum. It finally was obeyed by the next-ranking official, Solicitor General Robert H. Bork.

The firestorm of criticism that followed ultimately led to passage of an independent counsel statute in 1978 as part of the Ethics in Government Act. The statute was based on the idea that there is at least a perceived conflict of interest when the attorney general investigates top officials in the executive branch.

The law required the attorney general to consider credible allegations against top officials, and if there were grounds to proceed, to ask a special three-judge panel to appoint an independent counsel to carry out the inves-

### A Kind of Legacy

At the beginning of his second term, Nixon had plans to refashion the executive branch with more centralized authority. Right after his landslide re-election victory, he asked for the resignations of all presidential appointees, retreated to Camp David and worked on the concept of a "super Cabinet" with four special presidential counselors or "super secretaries" guiding domestic policy with the help of a cadre of White House loyalists in supportive positions.

The concept was viewed warily by writer Haynes Johnson as "a blueprint for political subversion and executive tyranny." But Nixon never got the chance to put his plan into action, as Watergate quickly began to absorb his attention and sap his political strength. ■

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# ***POLITICAL PARTICIPATION***

For this edition of the *Guide*, CQ editors have selected a number of *Weekly Report* articles on the process of political participation in America and on some key participants: parties, voters, and interest groups. Incumbents generally win elections because they are able to publicize their activities through mailings to their constituents, press releases and radio and videotapes sent to constituency news outlets, frequent trips back to their districts, and the work of their official staffs. Incumbents also benefit from the practice of PACs to give primarily to incumbents.

In most races, the incumbent will seek reelection. If the incumbent is considered electorally secure, meaningful opposition is unlikely to be encountered in either the primary or general election. But when the incumbent is considered vulnerable or there is an open seat (the incumbent is not seeking reelection), potentially strong candidates—people with experience in public office or standing in their communities—are likely to emerge. Quality candidates normally can attract the publicity, supporters, and financing essential to a hard-fought, competitive campaign.

The first two articles in this section take up an issue that is on the minds of everyone seeking reelection in November: incumbent vulnerability. Traditionally, incumbents have been considered vulnerable if they were elected with 55 percent of the vote or less, but that conventional wisdom is being questioned in light of recent election results. In these articles, other measures of vulnerability are considered, as are the prospects for vulnerable candidates in November.

The electoral fate of the political parties, and the role that money, the president, and voters play in deciding it, is the subject of the next three stories. The November elections were expected to favor the Republicans, who stood to benefit from the large number of open seats (49 in the House, 9 in the Senate) and, in some states, redistricting and demographic shifts, which turned once Democratic strongholds into level playing fields. The Democrats also found themselves fighting widespread anti-incumbent sentiment and lingering dissatisfaction with the president's leadership.

Next, CQ editors consider the stars of the 1992 elections, women and minority candidates. A pair of stories explains why women and minorities have been successful while sounding a cautionary note: unless immediate steps are taken to shore up recent gains, that success may be shortlived.

Finally, the enormous political power wielded in the American system by the mass media and interest groups is highlighted in three articles. A common thread running through these articles—about talk radio hosts who run for office, Ross Perot's United We Stand America, and the home schooling movement—is the intense interest that supposedly apathetic voters take in the issues that matter most to them, and the political power that that interest becomes when it is harnessed and channeled in the direction of a specific political objective.

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## ELECTIONS, CAMPAIGNS, AND VOTERS

# A Tale of Myths and Measures: Who Is Truly Vulnerable?

*Recent House elections call into question familiar signs of incumbent weakness*

As Rep. Marjorie Margolies-Mezvinsky (D-Pa.) cast an August vote to put President Clinton's budget into law, some Republicans on the House floor waved and chanted: "Goodbye, Marjorie."

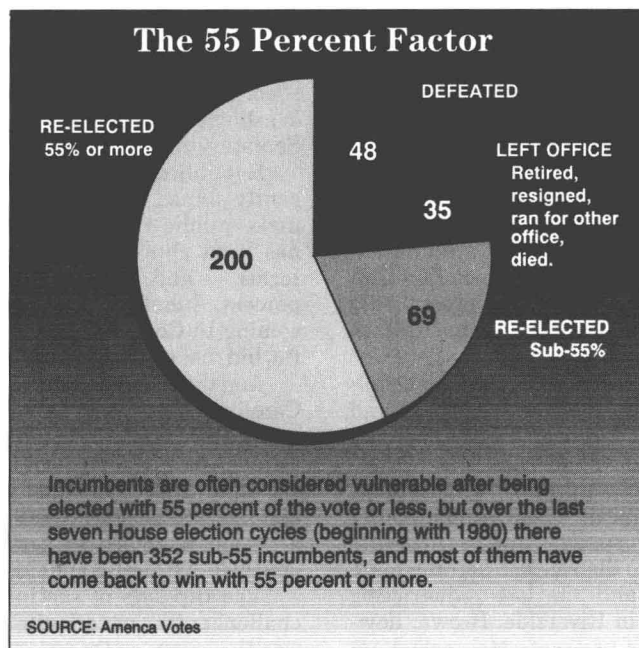
What the choristers were suggesting, none too subtly, was that the vote would be enough to end Margolies-Mezvinsky's congressional career. But they probably already thought Margolies-Mezvinsky would be vulnerable in 1994. She was, after all, a freshman who had won with a bare majority in a Republican district.

These are the kind of considerations that, in varying measure, have been factored into historical judgments of incumbents' vulnerability. By these criteria, Margolies-Mezvinsky fits the classic profile of a "marginal" member.

Congressional vulnerability, says Democratic consultant Mark Mellman, is "a variegated picture [with] a number of indicators." And some of the indicators, he adds, have been changing in recent years.

Indeed, recent election cycles often have cast doubt on these criteria, and even on the concept of definable marginality. In recent cycles, some incumbents who showed no sign of vulnerability have been defeated, while others who appeared vulnerable on paper have been re-elected with ease.

That is why discussion of candidate vulnerability and election-year volatility has become so difficult. Even apart from the overarching in-



*As the 1994 congressional election cycle begins, prospective candidates and political observers search the landscape for vulnerable incumbents. In this, the first of two articles, CQ senior writer Rhodes Cook examines various measures of vulnerability and assesses their reliability in recent elections. The following article addresses how these and other forces may affect the 1994 cycle in particular.*

fluences of presidential politics and economic conditions, assessing House members' individual predicaments can be vexing.

The criteria of vulnerability include five elements that candidates, analysts, consultants and party campaign committees frequently mention in their own assessments. The assumptions implicit in these criteria are these:

- An incumbent suffers for alleged lapses of personal, financial or political ethics.

- An incumbent pays for casting unpopular votes.

- Incumbents who win narrowly in one election are shaky in the next election.

- Incumbents are vulnerable in districts with a demonstrated preference for the other party.

- Incumbents are less secure if they have not had time to entrench themselves through longevity, with all the attendant opportunity for publicity and constituent service.

While each of these assumptions has roots in history and logic, closer inspection indicates that even the most useful cannot be relied upon completely; and some indicators have shown little predictive power in the contemporary era.

## The Question of Ethics

"The first thing to being re-elected is to stay away from scandal, even minor scandals," says University of Nebraska political scientist John Hibbing.

Even in the peak years of incumbent re-election rates (98 percent in both 1986 and 1988, 96 percent in 1990), problems on the ethics front seemed to point to likely defeat.

Five of the six House incumbents beaten in the fall of 1988 were tarred by ethical questions, including the year's most prominent loser, House Banking Committee Chairman Ferdinand J. St Germain, D-R.I. His dealings with lobbyists for the savings and loan industry made him a symbol of dubious ethics in Congress.

Roughly half the 15 House members





Neal



Brown



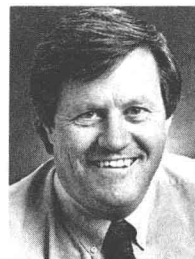
McCloskey



Inhofe



Taylor



Peterson

## Surviving on the Brink

One logical place to look for vulnerable incumbents in 1994 is on the list of incumbents who barely survived in 1992.

The only problem with that approach is that it turns up some of the most resilient and resourceful veterans either party has to offer.

Democrat Stephen L. Neal of North Carolina, the chairman of the Banking Committee's Financial Institutions Subcommittee, has risen above 55 percent only twice in his 10 elections. But he has always come up with just enough to win.

Democrat George E. Brown Jr. of California, the 29-year House veteran who chairs the Science, Space and Technology Committee, has been over 55 percent only twice in his last seven elections. He has not been over 60 percent since 1978. Brown shows up all but automatically on the National Republican Congressional Committee's target list, and he usually draws a first-rate opponent. His San Bernardino district has become more Republican over the years, and the last redistricting even removed his own home in Riverside. Brown, however, was not removed from his seat. He racked up another 51 percent triumph.

Democrat Frank McCloskey of Indiana had the narrowest victory margin of any House member in the 1980s (four votes in the disputed, recounted 1984 election) and has risen above 55 percent only once since

then. But he is now in his sixth term, making news in Washington and home by calling for the resignation of Secretary of State Warren Christopher.

Republican James M. Inhofe of Oklahoma, who recently gained national attention by leading the fight to make public the names on House discharge petitions, has been above 55 percent only once in winning four terms — and that time he climbed all the way to 56 percent. Inhofe had shown his toughness even before coming to Congress, bouncing back from an unsuccessful bid for re-election as mayor of Tulsa in 1984.

And then there is Republican Charles H. Taylor of North Carolina, who probably represents the most politically volatile district in the country. Voters in his western North Carolina district tossed out incumbents in 1980, 1982, 1984, 1986 and 1990. Every contest in the district between 1982 and 1990 was decided by fewer than 5,000 votes. Taylor won a second term last year with 55 percent of the vote, a landslide by local standards.

The flip side of the incumbent on the brink is the challenger who never quite makes it over the hump. That was the story for Democrat Collin C. Peterson, who ran unsuccessfully in Minnesota's 7th District four times before finally winning in 1990. Now an incumbent, he can scarcely relax. The northwest Minnesota district has given an incumbent more than 55 percent only once in the last 15 years.

defeated in the fall of 1990 were dogged by some charge of unethical conduct. Ties to failed savings and loans ensnarled Republican Charles "Chip" Pashayan Jr. and several others, while personal scandals helped halt the careers of Democrats Jim Bates of California and Roy Dyson of Maryland.

In 1992, however, individual cases of ethics problems were dwarfed by the House Bank scandal, which was widespread enough to scar the entire institution and contribute to dozens of retirements and defeats.

All but five of the 24 members defeated in November 1992 had overdrawn their House bank accounts at least once during the 3¼ years studied by the House ethics committee.

Five had at least 140 overdrafts.

In addition, overdrafts influenced the decision reached by many of the record 65 members who retired at the end of the 102nd Congress. Of the 46 members who had 100 or more overdrafts, more than half (25) retired or were defeated. Of the 389 with fewer than 100 overdrafts, barely one-fifth (80) retired or were beaten.

But as potent as ethics problems have been, some incumbents have survived them. Joseph M. McDade, R-Pa., was returned to office in 1992 without major party opposition despite a bribery investigation that had led to his indictment. And Harold E. Ford, D-Tenn., has been re-elected regularly and easily since his indictment in 1987 on

bank, mail and tax-fraud charges (of which he was acquitted in 1993).

Even the bruising House Bank affair did not pose an insurmountable obstacle. Some members won despite a plethora of overdrafts — Democrat Ronald D. Coleman of Texas had 673; Republican Bill Goodling of Pennsylvania had 430; Democrat Dan Glickman of Kansas and Republican Jim Ross Lightfoot of Iowa each had 105. And all are members of the 103rd Congress.

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### "Killer Votes"

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Much of the Republican hope for 1994 is based on the belief that members' votes can be highlighted when unpopular and used to leverage a ma-

for turnover in the House.

But there is no evidence in recent history that a single vote can eliminate House incumbents in noticeable numbers. Members usually have a strong sense of their constituencies and rarely cast votes that they feel they cannot defend.

"There has been nothing in the last 50 years where they dropped like flies," says University of California at San Diego political scientist Gary Jacobson.

That has not kept party strategists from hoping, though. Many Republicans figured that the vote on the Persian Gulf resolution in early 1991 would provide a "silver bullet" for them to defeat masses of anti-war Democrats in 1992. But it did not work out that way. Of the 24 House members defeated last November, half had voted to give President George Bush authority to use force.

Nor was the vote on the government pay raise in 1989 or the House budget vote in October 1990 the cause of great casualties in November 1990. Of the 15 House losers in that election, nine had opposed Bush's unpopular October budget deal, nine had voted against the highly unpopular pay raise.

The idea that one vote can doom scores of congressmen is "a myth that grows at the time of any vote that is unpopular," says Democratic consultant Mellman. "We heard that in the gulf war. We heard that in the budget vote. It doesn't happen."

On the surface, it seems as if there may have been more of a connection between the support of Reaganomics in 1981 and the defeat of a number of House Republicans in 1982. Twenty-three of the 29 incumbents who lost that fall had backed the 1981 budget reconciliation bill; and alleged inequities in Reaganomics became the centerpiece of the 1982 Democratic campaign.

Yet the environment of that election year was just as likely a source of problems for Republicans as any single vote — with recession, redistricting and the absence of Reagan himself on the ballot all taking a toll.

"People do get killed by votes," says Richard F. Fenno, a University of Rochester (N.Y.) political scientist, "but they tend to be more constituent specific or group specific."

He cites the large number of House Republicans defeated in 1974 after supporting President Richard M. Nixon to the bitter end. A large number of House Democrats beaten in 1966 had backed ambitious and ex-

## House General Election Losers: 1980-92

House incumbents lose for many reasons. But since 1980, some patterns have emerged among general election losers.

More House veterans have lost re-election after 10 or more years in office than those who were freshmen.

More members have lost who drew more than 55 percent of the total vote in the previous election than those who drew less than 55 percent.

About half the defeated House incumbents ran in districts that were won by the other party's presidential candidate — a split-ticket outcome that in midterm election years reflects the district's presidential vote two years earlier.

	Incumbents Beaten	Freshmen	10-year Veterans	Under 55% Previous Election	Split-Ticket Districts
1980	31	4	15	10	23
1982	29	14	7	13	8
1984	16	4	7	9	14
1986	6	3	1	5	1
1988	6	1	2	4	1
1990	15	2	8	6	3
1992	24	3	14	5	14
<b>TOTAL</b>	<b>127</b>	<b>31</b>	<b>54</b>	<b>52</b>	<b>64</b>

SOURCE: America Votes

pensive elements of President Lyndon B. Johnson's Great Society program.

Yet, the present group of House Democrats, while generally supportive of Clinton, is widely seen as vigilant in protecting its political flanks. "They're pretty good at predicting what the wrong way is," says Jacobson.

According to a study by Jacobson, the 41 House Democrats who voted against putting Clinton's budget into law in August represented districts in which Bush had averaged nearly 42 percent of the three-way vote for president in 1992, while the 217 Democrats who sided with Clinton in August represented districts in which Bush had averaged only 32 percent.

Thomas E. Mann, the director of governmental studies at the Brookings Institution, doubts that the budget vote will cause a problem for its supporters in 1994, if only because it was complicated. "It's a tough one to pin," he says.

The vote on the North American Free Trade Agreement (NAFTA) still could be resonating in 1994, if only because interest groups that opposed it are practiced at playing a prominent role in the political process.

Still, says Mann, "You seldom see a particular vote take out a whole raft of incumbents. . . . Most members know what they can do and can't do."

### Sub-55 Percent List

A House member who wins with less than 55 percent of the total vote

often can expect to see his name automatically entered on the list of the vulnerable and his subsequent campaign closely watched for signs of rigor mortis.

There is a historical basis for this prejudice. Jacobson has calculated that, from 1946 through 1970, roughly three-fifths of the House incumbents defeated had last won with less than 55 percent of the vote.

But that changed in the 1970s, when a majority of the defeated incumbents had last been elected with more than 55 percent.

More recently, a sub-55 percent showing has represented a problem mostly for veteran House members who previously had enjoyed much larger cushions. And even many of these have shown they can survive for years on the brink of electoral defeat. (Story, p. 8)

Since 1980, fewer than half (52 of 127) the incumbents who lost general-election contests had been below the 55 percent mark in their previous election. Of the 24 House members defeated in November 1992, only five had fallen below 55 percent in 1990 and only five others had fallen below 60 percent.

The 55 percent standard is of little use in judging the political health of freshmen, who often are elected narrowly and then manage a "sophomore surge" in vote share. The standard is most meaningful when applied to those who fall into the sub-55 category



after years of far wider margins.

Take the 57 House members who won in 1990 with less than 55 percent. Twenty-four of them were freshmen, and of this group, 20 are still in Congress. But the other 33 who were incumbents in 1990 have shown considerable attrition: Only 19 are still House members. Eight retired in 1992, four lost in 1992 party primaries and two lost in the 1992 general elections. Not all veteran incumbents who fall below 55 percent are equally vulnerable. "The margin matters a little if it was a slim margin and there's no good explanation for it," says Fenno.

Some veterans who seem vulnerable by the numbers alone may be safer than they appear — especially if they were pulled below 55 percent by a special challenger unlikely to run again. By surviving a stiff challenge, a member often can create a perception of renewed political strength.

At the same time, many veteran incumbents find that once they are on the vulnerable list, it is tough to get off. There is blood in the water, and they tend to draw a succession of well-financed challengers who perceive that they are beatable.

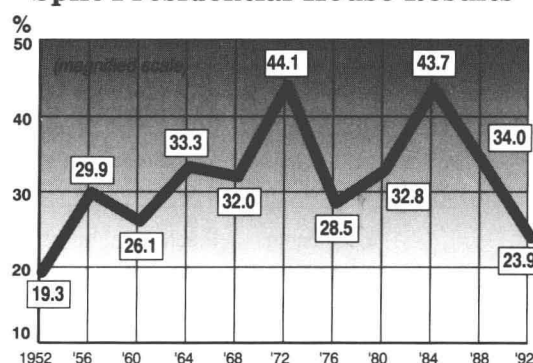
Ten of the 19 House veterans who had won with less than 55 percent of the vote in 1990 were back on that list again in 1992, including Vic Fazio of California, the chairman of the Democratic Congressional Campaign Committee. (Chart, p. 11)

Members who live close to the edge occasionally fall off. Democrat Peter H. Kostmayer of Pennsylvania was probably the most conspicuous casualty in 1992. After a series of close elections, he suffered the irony of being defeated just as a Democratic presidential candidate finally was carrying his suburban, GOP-oriented Philadelphia district.

Likewise, Republican John Hiler of Indiana was unseated in 1990 after surviving throughout the 1980s with 55 percent of the vote or less. Republican Arlan Stangeland of Minnesota, whose House career featured one cliffhanger after another, also was ousted in 1990.

Other edge-dwellers do not wait to be defeated, they retire. Democrat Marilyn Lloyd of Tennessee, who was held below 55 percent of the vote for

### Ticket-Splitting: Percentage of Districts with Split Presidential-House Results



Ticket-splitting reached a 40-year low in 1992, with only about one congressional district in four choosing a House candidate from one party and a presidential candidate from the other. The last time voters were as willing to choose one party for both offices was in 1952, when Republican Dwight D. Eisenhower won the White House and the GOP won majorities in both chambers of Congress.

The most dramatic examples of ticket-splitting in recent years came in 1972 and 1984, when scores of Democratic representatives won re-election in districts that voted for Republican presidential candidates Richard M. Nixon and Ronald Reagan.

SOURCE: Vital Statistics on Congress 1991-1992; CQ for 1992

the fifth time in 1992, has announced that this term will be her last. So has Democrat Al Swift of Washington, who made known his retirement plans before last year's election. While Swift won most of his eight terms easily, he drew no more than 52 percent of the vote in his last two elections.

### Tough Districts

Republicans have long been frustrated by the many districts that vote Republican in statewide and presidential elections but regularly send Democrats to the House. This anomaly has helped inspire GOP challenges to incumbents as formidable as Speaker Thomas S. Foley, whose largely rural district in Washington voted Republican in six straight presidential elections beginning in 1968.

But the split district generally has been an indicator of vulnerability only in presidential election years — and then only when the dominant party's candidate had visible coattails. Were this not the case, Democrats would not have been able to control the House for four decades during which

they held the White House for only 14 years.

Obviously, most House members would rather run in districts where their party has a comfortable registration edge. And there were several members who were defeated in 1992 in large part because they had to run on hostile turf in a presidential election year.

Democratic Reps. Ben Erdreich of Alabama, Richard Ray of Georgia, John W. Cox Jr. of Illinois, Jim Jontz of Indiana and Liz J. Patterson of South Carolina lost to Republican challengers in districts that voted overwhelmingly for President Bush.

GOP Reps. Frank Riggs of California, Tom Coleman of Missouri and Bill Green of New York lost to Democratic challengers in districts that voted decisively for Clinton.

These were not isolated examples. More than two-thirds of the House incumbents (52 of 77) who lost in the last four presidential elections (1980-92) did so as the other party's presidential candidate was carrying their district.

Yet in midterm election years, there is no comparable top-of-the-ticket tide to help carry House incumbents out of office. Fewer than one of every four members who were defeated in the midterm elections since 1982 (12 of 50) were representing districts that two years earlier had voted for the other party's presidential candidate.

Yet even in the presidential election years, most members in ticket-splitting districts survive relatively easily. In 1984, Democratic congressional candidates won in 190 districts that Republican Ronald Reagan carried. That meant that three of four Democrats in the House came from districts that also voted for Reagan. In 1988, Democratic House candidates won in 135 districts that Bush carried — so roughly half the House Democrats came from districts Bush had carried.

With the Democrats scoring a rare presidential victory in 1992, ticket splitting hit a 40-year low. So only about one Democrat in five in the current House (53 of 258) represents a district that went with Bush in 1992. (Chart, this page)

The relationship between voter