Analyzing the Impact of the Earmark Moratorium on U.S. Congressional Coalition Building

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Introduction

In 2012, Congress struggled to pass a highway authorization bill that was historically considered to be a more painless and bipartisan affair. When then-Speaker John Boehner was asked why the highway bill was proving so difficult, he said, "I think when it comes to things like the highway bill that used to be very bipartisan, you have to understand it was greased to be bipartisan with 6,371 earmarks... You take the earmarks away, and guess what? All of a sudden people are beginning to look at the real policy behind it. So each one of these bills will rise or fall on their own merits" (Steinhauer 2012).

Boehner has long been a staunch opponent of earmarks, leading the charge to ban them after Republicans regained control of the House in 2010, and he most certainly was not praising them with this comment (Cillizza 2016). Still, perhaps without realizing it, he made a case for their utility: earmarks make it easier for Congress to do their job.

Boehner's story holds for past highway bills; in Diana Evans' exploration of the 1986-87 and 1991 highway bills, earmarks play a major role in garnering particularly bipartisan support (Evans 2004, 128). Both highway bills posed significant difficulties, including challenges from the floor and the threat of presidential veto (65). The 1986-87 bill primarily funded the completion of the interstate system and federal transportation aid—broad policy aims with complex divisions over fund distribution and future priorities (66). The 1991 bills faced similar problems with distaste over highway fund distribution and disagreements about the future of transportation policy, particularly as members increasingly called for changes (71-72). In other words, there was not, for either bill, inherent bipartisan consensus despite the bill's general focus and position within different political climates. In order to pass the highway bills, these differences were resolved with the help of earmarks. The committee leaders in charge of both bills distributed earmarked projects to members of both parties to secure a winning coalition. Though certainly used to reward or ensure party loyalty, earmarks garnered marked bipartisan support; as Evans (2004) writes, "On most votes projects had a greater impact on members of the party that was otherwise least inclined to support the committee leaders" (128). Most importantly, leaders were able to pass these complex and not-uncontroversial pieces of legislation by purchasing votes with earmarks, when the "merits" and other obstacles inherent in the bills made a different means of securing enough votes difficult or impossible (129).

Though significant research has been done on earmarks, little has been done on the impact of the moratorium itself. Previous scholars have analyzed the role earmarks play within the act of passing legislation and have suggested that earmarks help facilitate Congressional action and majority coalition building by providing lawmakers with an easily-exchanged carrot to secure members' votes (Evans 2004). Given their documented role within lawmaking, this research seeks to investigate whether the earmark moratorium had the expected negative effect on majority coalition building given that MCs lost one of the tools at their disposal. My results show that the loss of earmarks did indeed negatively impact coalition building, though not precisely as I expected. The magnitude of majority party support in the House was statistically unchanged by the earmark ban, and though House minority support became markedly smaller under the ban, this change was likely not due to the ban. Appropriations bills are, however, passed later on average in both chambers of Congress under the moratorium—by roughly 53 days in the House and 44 days in the Senate on average. The Senate also secured a smaller proportion of majority and minority party support without earmarks. Finally, there were also

fewer appropriations bills passed that fund the government for the entire fiscal year under the ban, meaning there were fewer regular spending bills and more omnibus and continuing resolutions, which indicate an increased use of alternative methods of passing appropriations bills, potentially to compensate for the loss of earmarks.

Literature Review

Boehner's comment about earmarks appears to ring true, and yet the public strength and popularity of his view that earmarks are an evil to oppose has left Congress under an earmark moratorium since 2011. Earmarks have a fairly infamous reputation outside of scholarly and most (but not all) legislative circles. The media and public condemn them for being wasteful and corrupt, despite the fact that the vast majority of earmarks fund deserving and uncontroversial projects and make up an exceedingly small portion of discretionary spending (Sinclair 2017, 121-123). In fact, earmarked spending only makes up roughly one percent of the federal budget, and the vast majority of earmarks come from funds that are already appropriated (Mann 2009). Furthermore, research has shown that earmarks do not lead to greater deficits or wasteful spending—they make up simply too little of total spending (Frisch 1998).

This ill-will was bolstered by several legitimate earmark scandals of the early 2000s, including the much-maligned "bridge to nowhere," a bridge in Alaska connecting a town of no more than 8,000 people to an island with 50 people (Oleszek 2014, 59). Additionally, Rep. Duke Cunningham, a member of the Defense Appropriations Subcommittee, notoriously took \$2.4 million in bribes to secure millions of dollars-worth of earmarks for specific defense contractors (59). These and other scandals, coupled with rising earmark numbers during the period, aided in turning the public against earmarks and inducing calls for reforms (58-61).

These calls were answered when Democrats gained control of the House in the 2006 midterm elections and instituted a temporary ban on earmarks for the remaining fiscal year 2007 appropriations bills while they established greater transparency and disclosure rules for earmarking, aiming to combat earmarks back-room reputation (Henehan 2007). When Republicans regained control of the House after the 2010 elections, under Boehner's leadership, public wishes were fully answered as both chambers instituted a then-temporary ban on earmarks that has been renewed every year since (Sinclair 2017, 124).

Despite their unpopularity with the general public, earmarks are an essential bargaining tool for members of Congress. The standard thought is that the distribution of earmarks acts like legislative lubricant, helping to build winning coalitions by sweetening bills with pork (Evans 2004). This basic idea relies upon earmarks also being an electoral tool, consistent with David Mayhew's (1974) work on Congressional electoral relationships. Earmarks are individual accomplishments MCs can flaunt to their districts and, as such, are a means through which MCs can engage in credit claiming, one of the primary behaviors MCs use to better their chances of reelection (Mayhew 1974, 43). The research on these two aspects of earmarks as a legislative tool and the electoral connection that enables the utility of earmarks in lawmaking—is somewhat varied.

Evans (2004) presents earmarks as tools to build majority coalitions for general interest legislation with her analysis of the aforementioned highway bills and several other case studies of general interest legislation. In *Greasing the Wheels: Using Pork Barrel Projects to Build Majority Coalitions in Congress*, Evans builds upon the basic idea that earmarks can be used to purchase votes. She argues legislators use earmarks to attach particularized benefits to bills that provide a *collective* benefit to a target population that is not specific to any congressional district

(3). They act as "sweeteners," even helping to pull minority members away from their party's position (2-3). In other words, earmarks are part of a legislator's toolbox for overcoming collective action problems, particularly with regards to the difficulty of passing broad-based, general interest legislation.

Evans (2004) looked at several case studies, including the passage of NAFTA, to assess the utility of earmarks in both chambers of Congress, analyzing their impact on roll call votes. She found earmarks to be particularly effective at buying votes in the House, including by pulling members of the minority party into the majority coalition, contrary to the position of party leaders (226-227). Though this effect was particularly pronounced in the House, earmarks impacted MCs from both parties in both chambers (226).

Evans' work contrasts with Mayhew's notable theory of particularized benefits. Mayhew (1974) argues earmarks are part of MCs' relentless credit claiming and the incentive to pursue particularized benefits to this end does not ameliorate collective action problems, as Evans argues, but rather alters the incentive structure MCs operate under. MCs have an incentive to pursue particularized benefits at the expense of more general legislation that promises no individual benefit for which they can claim credit (98).

More recent research, operating within Mayhew's framework, demonstrates an inverse relationship between securing earmarks and policy-making at an individual member level. Guenther and Searle (2018) argue, with limited resources, securing earmarks is one activity legislators have to decide whether or not to pursue, at the expense of other activities, including policy-making. Their research rests on the assumption that because time is a finite and limiting resource for MCs, MCs have to focus their efforts on the activities available to them with the greatest net benefits. MCs have to specialize, and with time as a scarce resource, focusing on one

activity inhibits an MC from focusing on others. They found disparities amongst MCs in their pursuit of earmarks: those who secured more earmarked funding were less connected (based on co-sponsorship data), meaning they were less focused on policy.

Importantly, Guenther and Searle (2018) argue that MCs do not all have the same incentives to pursue earmarking; rather, earmarking is one of several activities MCs have to choose between. This argument contrasts with Mayhew's theory that assumes a general incentive to secure pork at the expense of general interest policy-making—not every MC has the same incentive to pursue earmarks, meaning parties as a whole can still pursue policy agendas even as several members are prioritizing pork.

Empirical research on the extent to which earmarks actually enhance an MC's chances at reelection is mixed. The electoral connection importantly relies upon the assumption that constituent voters actually know about the pork their MC secured for the district, which seems fairly unrealistic given that most voters are largely uninformed. Research on the electoral connection also has to grapple with variation and inconsistencies in earmark distribution—it's not clear that earmarks are being sought or given to any one particular type of legislator, whether that be electorally vulnerable, high ranking, or on a critical committee (Evans 2004; Stein and Bickers 1994; Clemens, Crespin, and Finocchiaro 2012).

Even so, an electoral connection is not inconceivable, though likely more complicated. Of the research that does identify an electoral connection with earmarks, most agree the connection is conditional upon some combination of factors. Stein and Bickers (1994) found in their analysis of federal awards in the late 1980s that electorally vulnerable incumbents are more likely to go after earmarks, and that politically active constituents and interest group members are more likely to be aware of earmarked projects secured by their representative and think more highly of their representative because of the projects. More recent research has found that the electoral benefit of earmarks is not consistent across members. Crespin and Finocchiaro (2013), looking at earmarks from 1996-2004, found earmarks offer greater electoral benefits for Democratic senators, ideologically divergent senators, and small state senators (526). Lazarus and Reilly (2010), working with earmark data from the 1980s-2000s, similarly found that the electoral benefit of earmarks is restricted to Democratic House members, with Republicans receiving no increased vote share as a result of pork barrel projects (352). Looking at even more recent data from 2008 and 2010, Lazarus, Glas, and Barbieri (2012) again confirmed that earmarks' electoral benefits are restricted to Democratic even at the political elite level, reducing the strength of competition in primaries and increasing campaign receipts in 2008 (260; 266).

The lack of consensus in empirical evidence of an electoral relationship with earmarks can only matter so much when, as Mayhew (1974) notes, MCs believe they matter (47). "It would be hard to find a congressman who thinks he can afford to wait around until precise information is available" as to whether or not earmarks actually improve electoral outcomes (47). Because MCs either generally believe earmarks aid in reelection or they don't feel they can take the risk of forgoing them without certainty, it matters less whether or not the electoral relationship actually exists in terms of electoral benefits of earmarks and matters more that MCs want to secure earmarks for their districts based on this logic.

Because of the electoral connection's theoretical strength, a significant portion of earmark research investigates the extent to which earmarks are distributed or sought by electorally vulnerable members, but, as mentioned, this research is largely inconclusive (Lazarus 2009; Stein and Bickers 1994). Lazarus (2009) argues the reason scholars are unable to identify the relationship between electorally vulnerable members and earmarks in the House in particular is because the relationship only exists within the majority party. Lazarus highlights Cox and McCubbin's Procedural Cartel theory and Aldrich and Rohde's Conditional Party Government as more useful frameworks within which to consider earmark distribution. Both of these models stress the role of party leadership in solving collective action problems and their interest in maintaining or securing a majority. Lazarus argues the majoritarian nature of the House, granting the majority far greater power to shape processes and policy while granting few minority veto rights, ensures the majority party alone can capitalize on the opportunities afforded by earmarks with regards to electoral vulnerability (1050). Lazarus' research fails to explain why minority members then receive any earmarks, particularly given the strength of the majority party in the distribution of benefits.

Looking at educational earmarks over time, researchers have attempted to reconcile the majority's power over earmark distribution with minority members' receipt of earmarks with a theory of blame avoidance (Balla, Lawrence, Maltzman, and Sigelman 2002). The researchers found majority members distributed academic earmarks to members of the majority and minority but saved more lucrative earmarks for themselves. By distributing earmarks to the minority, researchers argue the majority insulates themselves from minority criticism related to earmarks and spending (Balla, Lawrence, Maltzman, and Sigelman 2002, 524). These results are limited in generalizability, however, speaking primarily to their specific policy area.

Other research shows appropriations subcommittees do not distribute earmarks to the electorally vulnerable; they instead focus on MCs role and clout within the appropriations process (Clemens, Crespin, and Finocchiaro 2012). Clemens, Crespin, and Finocchiaro found that neither party consistently distributed earmarks to electorally vulnerable members and that significant variation in patterns of distribution exist across subcommittees and parties, with

members with greater power over the appropriations process receiving more earmarks (1098). Expanding on this research, Berry and Fowler (2015) argue the relationship is far more concentrated, with appropriations subcommittee members not receiving any increases in earmarks—only leaders on the committees receive a boost in awards and only for programs under their specific subcommittee's control (705). Meinke (2018) found mixed and limited results for the impact of party leadership more generally on earmark receipts. In the 1990s, Democrats involved with party leadership received slightly more earmarks in transportation and higher education, and members of both parties who were not involved with party leadership received less transportation earmarks in the 1990s and 2000s (Meinke 2018, 687). These results demonstrate a complex and unclear pattern of earmark distribution, if a pattern exists at all.

Evans (2004) understands earmark distribution within the larger context of vote-buying. First, the distribution of pork depends upon the size of the majority party leaders seek (12). They can either secure just enough support for passage or maximize support, essentially garnering as much as they can (39). There are several reasons Evans identifies for why a large majority is ideal, citing the threat of presidential veto, unsavory amendments, and the Senate filibuster (39). She argues that the pursuit of a bare majority would incentivize MCs to conceal their true intentions in order to secure funding, holding the bill in the balance, and suggests that in order to prevent this strategic behavior, leaders have an incentive to distribute earmarks "indiscriminately to all who ask" (224).

Evans (2004) research supports this less particular approach to earmark distribution. Leaders gave earmarks to members of both parties, clamping down majority support and drawing minority members away from their leaders' positions. Though leaders do appear to distribute earmarks to secure particular votes, Evans model supported the idea that earmarks are largely not distributed in any particular and specific way (226).

All but Evans fail to consider earmarks as currency, but that does not mean their arguments are wholly incompatible with a theory of earmarks as tools. If earmarks are going to vulnerable members, how is their vulnerability reflected in their ideological positioning within the majority party? Logically, excluding primary challenges, an unsafe seat should not belong to more ideologically extreme members but more likely those on the margins. The distribution to vulnerable majority members can thus be reasonably understood to potentially be about more than electoral vulnerability. Similarly, the support of important appropriations members is critical to passing appropriations bills, which are not optional.

Most importantly, none of this research accounts for the effect of the earmark ban, though they do help inform some predictions. Considering earmarks as a legislative tool and currency for votes, it follows that building majority coalitions should be more difficult after the earmark ban because party leaders lost a tool at their disposal. Without this tool, leaders should have a harder time buying votes.

Theory and Hypotheses

By eliminating a critical tool for building majority coalitions on appropriation bills with the 2011 moratorium, support for appropriation bills should be harder to secure, the process becoming more complicated, longer, or ultimately less successful at garnering yea-votes.

To analyze the impact of the earmark moratorium, this research focuses solely on appropriations bills for two main reasons. First, earmarks are an exercise of Congress' "power of the purse," so meaningful differences in Congressional activity related to the earmark ban would most clearly be exhibited in appropriations and budgetary action. Second, the appropriations process is structured in a way to provide clearer insight into difficulties of coalition building. Appropriations bills are not optional—they must be passed in some form every fiscal year regardless of policy goals and ideologies, and they are supposed to be passed before the start of the fiscal year on October 1, limiting the majority's negative agenda control in this context (Oleszek 2014, 50).

The textbook appropriations process requires Congress pass between 11-13 regular appropriations bills, each for one or several federal agencies, for a given fiscal year on or before October 1 (Oleszek 2014, 50). The deadline provides a useful benchmark for estimating the time required to build a majority coalition, which must be built to prevent a government shutdown, and any variations therein. Should Congress not be able to secure funding in time, either the government shuts down or Congress passes a continuing resolution to continue funding the government at current levels until a specified date they choose. Continuing resolutions can extend funding for several days, several weeks, or entire fiscal years—it is entirely up to Congress' discretion. Congress can pass as many continuing resolutions as they want until they finally secure some form of funding that will take the government to September 30 (Oleszek 2014, 50). Continuing resolutions act both as an indication of difficulties in timely coalition building and potentially as tools when coalition building is difficult or impossible.

If Congress cannot pass individual appropriations bills, the other option for securing government funding is an omnibus appropriations bill. An omnibus bill wraps up several, if not all, appropriations into one package, meaning Congressional leaders only have to pass one bill instead of 12. Because these bills contain funding for so many programs and agencies, it is more likely for MCs to find at least something they like, and makes compromise in appropriations more fluid than traditional log-rolling might. In this sense, omnibus appropriations bills themselves are also tools to build majority coalitions when it would otherwise be difficult (Oleszek 2014, 50).

Supplemental appropriations bills are passed at any point in the fiscal year and generally include emergency funding following natural disasters or otherwise unexpected expenses, like the cost of investigating terrorist activities after 9/11 (Oleszek 2014, 50). Supplemental appropriations bills, like every other type mentioned, often contain earmarks and therefore could be impacted by earmarks as a legislative tool.

For the purposes of this paper, I sought to measure coalition building in four ways: the ability of the majority party to garner strong majority support, the ability of the majority party to garner minority support, the ability of Congress to pass appropriations bills in a timely fashion, and the ability of the Congress to pass funding for the entire fiscal year (as opposed to a temporary CR), whether on time or late.

Some research shows earmarks were largely distributed to the majority party, both rankand-file and electorally vulnerable members, and majority members have an incentive to pursue earmarks because of the (perceived) electoral connection in order to maintain and insulate their majority. Without this carrot, majority members do not have the buffer of a pork barrel project between them and their constituents, meaning they have to protect their seat in other ways. Following Boehner's comment and the logic of earmarks as an electoral tool, some majority members should then have to assess bills "on their merits," and the majority party should then have a harder time securing majority support after the ban.

Other research points to a more indiscriminate distribution in order to address minority party recipients of earmarked projects. If earmarks are indeed a legislative tool useful for pulling

minority members into the majority in order to build a larger majority coalition, minority support should be harder to secure after the earmark ban.

As a useful legislative tool, earmarks should make building majority coalitions more difficult generally, apart from party members' support. Increased difficulties in coalition building should create a more complicated process to secure a majority, and because of these increased difficulties and complexities associated with the process, securing a majority should take longer. Appropriations bills, therefore, should be later and passed in more unconventional methods under the earmark ban. Unconventional methods refers to using fewer regular appropriations bills and more omnibus bills, resulting in fewer bills overall that provide funding for the entire/remainder of the fiscal year.

Following this theory, I offer the following hypotheses:

H₁: In the House, a greater proportion of the majority party will vote in support of appropriations bills on average before the ban than after.

H₂: In the House, a greater proportion of the minority party will vote in support of appropriations bills before the ban than after.

H₃: In the Senate, a greater proportion of the majority party will vote in support of appropriations bills on average before the ban than after.

H₄: In the Senate, a greater proportion of the minority party will vote in support of appropriations bills before the ban than after.

 H_5 : In the House, appropriations bills will be later on average after the ban than before. H_6 : In the Senate, appropriations bills will be later on average after the ban than before. H_7 : A smaller proportion of appropriations bills on average will provide funding for the entire fiscal year after the ban than before.

Data and Methods

To investigate these hypotheses, I compiled data on every appropriations vote from fiscal years 2002 to 2018 as recorded on the U.S. Congress website. By restricting my analysis to these 16 years, roughly equal time before and after the ban, I sought to control for other extenuating factors related to the greater political environment while still including sufficient observations from various divisions of party control. Every vote indicated whether it occurred in the House (0) or the Senate (1) in order to analyze the chambers separately.

Though every vote on every appropriations bill during this time period is used in some part of my analysis, every vote does not apply to every section of my analysis. Because only certain types of votes and bills are useful for specific hypotheses, I coded every vote to indicate whether it was a recorded roll-call vote, voice vote, unanimous consent agreement, or unrecorded roll-call vote and to indicate whether the bill was a regular, continuing, omnibus, or supplemental appropriations bill.

In the cases where a bill was more than one type of appropriation, supplemental appropriations always deferred to the other classifications. The distinction between regular, continuing, and omnibus has no real impact on the observations included in various parts of my analysis, but supplemental appropriations are excluded from my timeliness analysis because they lack a real deadline or timeframe; attaching a section subject to the deadline to a supplemental appropriation makes that bill subject to the deadline for the purposes of my analysis, so it cannot be coded as supplemental.

To determine if the loss of earmarks posed a problem for majority party leaders gaining intraparty and interparty support, my first two dependent variables are the proportion of majority and minority members (in the House and Senate) voting in support of a given bill. I measured majority and minority support with roll-call votes and unanimous consent agreements (UCAs) on all four types of appropriations bills, including supplemental. Several appropriations bills passed in the Senate through UCAs rather than recorded roll-call votes. In the event a bill passed through a UCA, I coded the vote as though it was a unanimous roll-call vote in order to include them in my analysis of these dependent variables. For every vote, I recorded the number of majority members voting "yea," the total size of the majority at the time, the number of minority members voting "yea," and the total size of the minority at the time.

My third dependent variable is timeliness which I measured as how many days after the end of the fiscal year a given final vote occurred—essentially, how many days late. If the vote occurred before the end of the fiscal year, no matter how early, it was 0 days late. Supplemental appropriations bills and votes at initial passage were recorded as missing for this variable to exclude them from the timeliness analysis.

I constructed several control variables designed to account for other major factors that would influence majority coalition building. Because passing a version of a bill acceptable to both the House and Senate is more difficult than passing in only one or the other, every vote was coded to indicate whether the vote occurred at initial (0) or final passage (1). This variable also ensured votes at initial passage were excluded from the timeliness analysis. The size of the coalition sought by the majority party and the content of legislation can depend on the partisan control of the other chamber and the White House, particularly when passage is so crucial as in the case with appropriations. Therefore, I constructed two dummy variables for partisan control of Congress and the White House. For the Congress variable, a vote was coded as 0 if the majority party in the other chamber was the same as the vote's chamber and a 1 if it was different. For the White House variable, a vote was coded as 0 if the President's party was the same as the majority in the vote's chamber and 1 if it was different.

My primary independent variable is the impact of earmarks, which I measured with a binary variable that indicates whether a vote occurred without an earmark ban in place (0) or with an earmark ban in place (1). This paper does not go so far as to attempt to argue there is a relationship between the number of earmarks and coalition building. Instead, I am looking at the aggregate impact of having earmarks as a tool in coalition building and thus consider the earmark ban as more of a treatment, justifying the use of a simple dummy variable.

The last part of my analysis required a separate, albeit smaller, dataset. I gathered data from fiscal years 2000-2018, tabulating the number of non-supplemental appropriations bills introduced every fiscal year according to the U.S. Congress website's documentation of appropriations legislative histories. I included every non-supplemental appropriations bill proposed in both chambers in an aggregate analysis because each bill marks a chance for Congress to act on appropriations. I also included the number of these bills that secured funding for the entirety of the fiscal year—these bills could be regular, omnibus, or CRs (so long as they extended funding until September 30 of the fiscal year), and this proportion was not restricted to bills that were passed on time. Very few appropriations bills are passed on time—in many years, none are. For the sake of measuring the methods MCs use to pass appropriations bills under the ban, I did not discriminate based on timeliness for this part of the analysis. I sought only to determine whether Congress passed fewer bills that provided full-year funding, indicating they relied less on traditional methods of passage. My independent variable here was again before and after the ban, so I coded each fiscal year as before (0) or after (1) the ban. For all of my analysis, I used RStudio. To begin testing my hypotheses, I compared the proportion of majority support before and after the earmark ban in the House and Senate using a difference of means test to see if any significant and immediately noticeable difference in majority support exists under the ban. I also performed a difference of means test to compare minority support before and after the ban in both chambers. To understand the extent to which any differences observed in the difference of means tests are a result of the earmark ban, I used OLS regression models to further explore the relationship between earmarks and the size of coalitions, controlling for the party of the president, a divided Congress, initial or final passage, and the size of the majority. The models for majority and minority support are identical in each chamber except for the outcome variable.

For timeliness, I again first performed a difference of means test but comparing the mean tardiness of bills before and after the ban in each chamber. To further analyze the relationship therein, I created OLS models assessing the impact of the ban on timeliness, controlling for the party of the president, a divided Congress, and the size of the majority. This model did not include a control for initial or final passage because only votes on final passage were considered.

For the last part of my analysis, to estimate whether Congress passed fewer full-year funding bills after the ban, and thus relied more upon unorthodox means of appropriating funds with omnibus and continuing resolutions, I performed a simple OLS regression looking at the impact of the ban on the proportion of full-year funding bills passed compared to bills proposed. **Results**

Majority and Minority Support Under Earmarks

Table 1 provides summary statistics and the difference of means tests for every measure in the House, where results varied. As Figure 1 demonstrates, majority support before and after





the earmark ban appears fairly similar. Though the mean proportion of majority support is slightly greater after earmarks were banned, indicating perhaps that it became more difficult to secure majority support without earmarks, the difference is minimal and, as the difference of means test demonstrated, not statistically significant at the 0.05 level, albeit with a still low p-value of 0.075. In fact, the median proportion of majority support actually goes up after the ban—a difference of 0.922 to 0.934.

The regression models offer similar results (Table 2). In the original model without controls, there is a negative relationship between the earmark ban and majority support, with the proportion of majority support dropping on average by 0.03 without earmarks, but the relationship is not statistically significant at the 0.05 level. Adding the controls, the earmark ban decreases the proportion of majority support by 0.043 on average, holding all else equal, but this relationship is still not statistically significant at the 0.05 level. The p-value of 0.0571 is, however, relatively low.

These results, though contrary to my hypothesis, still make sense considering the House is by design very majoritarian, with institutional structures that grant the majority significant control over the appropriations process (and therefore the bills at hand, at least initially) and

Table 1. House: Summary Statistics and Difference of Means

	min	median	max	mean	t-stat.	P-value	
House Majority Support							
Before Ban	0.08627	0.9221	1	0.8922807	1.7898	0.07506	
After Ban	0.2103	0.9335	1	0.8629351			
House Minority Support							
Before Ban	0	0.8774	1	0.677185	6.3686	9.77E-10	***
After Ban	0	0.254	1	0.4069752			
House Timeliness							
Before Ban	0	38	156	40.95699	-4.3917	5.04E-05	***
After Ban	0	76	214	86.72093			

Notes:

Majority and minority support is measured by the proportion of majority and minority members respectively voting in support. Timeliness is measured by the number of days after October 1 of a given fiscal year a bill is passed.

***p < 0.01, **p < 0.05, *p < 0.10

	(1)	(2)
	Proportion of	Proportion of
	Majority	Majority
	Support ¹	Support ²
After Ban	-0.03* (0.016)	-0.043* (0.022)
President's Party		0.019 (0.021)
Cong. Party		-0.004 (0.019)
Final Passage		-0.08*** (0.015)
Majority Total		-0.001 (0.001)
Intercept	0.892	1.19*** (0.204)
Ν	317	317
Adjusted R ²	0.009	0.097

Table 2. House Majority Support Under the Earmark Ban

Note. ¹ Without controls. ² With controls added. Standard errors in parentheses. OLS regression models. ***p < 0.01, **p < 0.05, *p < 0.1

incentivize collective partisan benefits in order to maintain majority status to retain that power (Cox and McCubbins 1993).

According to the model, the only statistically significant predictor of majority support is whether the vote occurs at initial or final passage, with fewer majority members voting in support of the final version. These results are consistent with my justification for including this control—it appears harder to build as large a coalition when dealing with a version of a bill designed to win both chambers' approvals, rather than just one's.

Minority support in the House appears more interesting at first. The boxplots (Figure 2) show what appear to be very different distributions, with the proportion of minority support under the ban concentrated far lower than before the ban. As Table 1 demonstrates, the mean





proportion of minority support drops from 0.677 before the ban to 0.407 after the ban. The difference in means test produced an exceptionally low p-value that approaches zero, meaning the difference in the average proportion of minority support is almost certainly not due to chance. The original regression model continues along these lines—the earmark ban appears to have a negative and statistically significant impact on the proportion of minority support, decreasing support by 0.270 on average (Table 3).

This relationship completely disappears when the controls are added. The relationship weakens remarkably and loses its statistical significance, with the p-value rising to 0.221. Initial or final passage has the largest statistically significant effect on minority support, with the proportion of minority support rising by 0.159 on average at final passage, which means at final passage more minority members support a bill than they do at initial—perhaps because the compromised version from both chambers is more palatable to the minority (particularly given stronger minority rights in the Senate) or because the majority works harder for minority support at final passage, knowing they will lose some of their own ranks.

The party of the president and the size of the majority also have a negative and statistically significant impact on the proportion of minority support in the House. The effect of

	(1)	(2)
	Proportion of	Proportion of
	Minority	Minority
	Support ¹	Support ²
After Ban	-0.27*** (0.042)	-0.067 (0.054)
President's Party		-0.145***(0.051)
Cong. Party		0.023 (0.045)
Final Passage		0.159*** (0.036)
Majority Total		-0.016***(0.002)
Intercept	0.677	4.223*** (0.499)
Ν	317	317
Adjusted R ²	0.116	0.323

Table 3. House Minority Support Under the Earmark Ban

Note. ¹ Without controls. ² With controls added. Standard errors in parentheses. OLS regression models. ***p < 0.01, **p < 0.05, *p < 0.1

the president's party is, however, of greater magnitude than the size of the majority, which makes sense. Curiously, if the President is a member of the same party that has a minority in the House, minority support is on average lower. Without going so far as to fully answer the question, this could potentially be in some way related to the threat of a presidential veto. Though the veto threat incentivizes building as large a majority as possible, the minority party may be less inclined to help insulate the majority and risk undermining their party, even if the president has not actually threatened a veto.

In the Senate, results are a bit more consistent, as demonstrated in the summary statistics displayed in Table 4. At first glance, Figure 3 shows the proportion of majority support before the ban appears greater and more concentrated than after the ban. The mean proportion of majority support without earmarks is 0.960, compared to 0.853 with earmarks. This difference is statistically significant, with a p-value approaching zero.

Table 4. Senate: Summary Statistics and Difference of Means

	min	median	max	mean	t-stat.	P-value	
Senate Majority Support							
Before Ban	0.6	0.9804	1	0.9603025	4.3758	6.00E-05	***
After Ban	0.4259	0.9245	1	0.8533931			
Senate Minority Support							
Before Ban	0.07317	0.9472	1	0.848219	3.3012	0.001568	***
After Ban	0	0.7551	1	0.6899629			
Senate Timeliness							
Before Ban	0	40	160	43.70968	-3.7279	0.000541	***
After Ban	0	76.5	215	87.5833			

Notes:

Majority and minority support is measured by the proportion of majority and minority members respectively voting in support.

Timeliness is measured by the number of days after October 1 of a given fiscal year a bill is passed. ***p < 0.01, **p < 0.05, *p < 0.10





This apparent negative relationship is maintained in the regression models (Table 5). Without controls, the earmark ban decreases the proportion of majority support by 0.107 on average. Adding controls strengthens this negative and statistically significant relationship, showing a decrease in the proportion of majority support by 0.140 on average under the earmark

	(1)	(2)
	Proportion of	Proportion of
	Majority	Majority
	Support ¹	Support ²
After Ban	-0.107***(0.015)	-0.14*** (0.014)
President's Party		-0.081***(0.015)
Cong. Party		0.109*** (0.015)
Final Passage		-0.001 (0.012)
Majority Total		-0.002 (0.002)
Intercept	0.96	1.081*** (0.122)
Ν	206	206
Adjusted R ²	0.188	0.37

Table 5. Senate Majority Support Under the Earmark Ban

Note. ¹ Without controls. ² With controls added. Standard errors in parentheses. OLS regression models. ***p < 0.01, **p < 0.05, *p < 0.1 ban, with a p-value even closer to zero, confirming my hypothesis. Without earmarks, majority support is harder come by.

The model also demonstrates that the party of the president and the party in control of the other chamber impact majority support in a statistically significant way. If the president is not a member of the same party in control of the Senate, a smaller proportion of majority members will vote in support of appropriations bills on average. This result highlights the impact of the veto threat; a bill better crafted to survive a presidential veto will encourage more defection from members of the party to which the president does not belong. The results also demonstrate that if the House is controlled by a different party than the Senate, a greater proportion of the Senate majority will vote in support of appropriations bills on average. Interestingly, initial or final passage does not seem to have an impact in the Senate like it does the House—likely because the process begins in the House, leading to a greater difference in the House and final versions compared to the Senate, and because minority MCs in the Senate have greater influence over legislation than they do in the House, producing something initially that may be closer to a compromised version.





Analysis of minority support in the Senate tells a similar story. Before the earmark ban, the proportion of minority support is concentrated at higher levels than after (Figure 4). As Table 5 demonstrates, the rather large difference between means of 0.848 and 0.690 before and after the ban respectively is statistically significant.

The first regression model produces a statistically significant negative relationship between banning earmarks and minority support, with the ban resulting in a decrease in the proportion of minority support by 0.158 (Table 6). With controls, this statistically significant negative relationship is maintained and strengthened slightly. The proportion of minority support decreases by 0.180 on average, with a p-value approaching zero. The only control with a statistically significant impact on minority support is the size of the majority; a larger majority results in a slightly lower proportion of minority support.

	(1)	(2)
	Proportion of	Proportion of
	Minority	Minority
	Support ¹	Support ²
After Ban	-0.158***(0.041)	-0.18*** (0.041)
President's Party		-0.041 (0.044)
Cong. Party		-0.01 (0.042)
Final Passage		0.043 (0.04)
Majority Total		-0.032***(0.001)
Intercept	0.848*** (0.02)	2.524*** (0.349)
Ν	206	206
Adjusted R ²	0.064	0.16

Table 6. Senate Minority Support Under the Earmark Ban

Note. ¹ Without controls. ² With controls added. Standard errors in parentheses. OLS regression models. ***p < 0.01, **p < 0.05, *p < 0.1 The relationship between Senate majority and minority support and the earmark ban makes sense considering the individualistic nature of the Senate and the Senate's reliance on UCAs. With earmarks, it should be easier to prevent individual members from defecting in order to more easily pass legislation by unanimous consent. In fact, the Senate used UCAs to pass appropriations bills 46 times before the ban, compared to 6 times after.

Timeliness Under Earmarks

The strongest indicator that the moratorium on earmarks impacted coalition building in the House comes with the timeliness analysis. As Figure 5 demonstrates, Congress as a whole has long struggled to pass appropriations bills on time. Since the moratorium was enacted in 2011, they have not passed a single regular appropriations bill before the deadline, instead passing several continuing resolutions. This long-standing pattern of tardiness informs the timeliness section of my analysis, which seeks to answer whether bills are passed *later* under the ban rather than simply whether bills are passed late more often.



Figure 5. Timely Regular Appropriations Compared to Continuing Resolutions Before and After the Earmark Ban

Regular appropriation bills enacted by start of fiscal year



Figure 6. Number of Days Late Appropriations Bills Passed the House

A preliminary analysis of tardiness data in the House suggests bills are indeed passing later. Figure 6 illustrates the number of days late for every appropriations bill subject to the deadline that passed in the House. As the trendline and distribution demonstrates, bills appear to be passing later in the fiscal years following the 2011 moratorium.

The boxplots also show promising visual differences in the distributions (Figure 7), and looking more closely into the descriptive statistics (Table 1), appropriations bills before the ban on earmarks were on average roughly 41 days late, compared to after the ban, when this average jumps to roughly 87 days late. This difference in means is statistically significant with a p-value approaching zero.





In the first model without controls, the earmark ban has a strong positive and statistically significant relationship with bills' lateness (Table 7). Banning earmarks results in appropriations bills that are on average roughly 46 days later than they would be with earmarks. Adding in the controls, this relationship is not only maintained but strengthened, still with a p-value approaching zero; bills passed under the earmark moratorium are roughly 53 days later on

	(1)	(2)
	Days Late ¹	Days Late ²
After Ban	45.764***(8.703)	53.441***(12.561)
President's Party		-14.623 (11.645)
Cong. Party		-7.189 (10.325)
Majority Total		0.28 (0.507)
Intercept	40.957***(4.894)	-19.948 (118.683)
Ν	135	135
Adjusted R ²	0.165	0.169

Table 7. House Timeliness Under the Earmark Ban

Note. ¹ Without controls. ² With controls added. Standard errors in parentheses. OLS regression models. ***p < 0.01, **p < 0.05, *p < 0.1 average than bills passed without the moratorium, holding all else equal. None of the controls have a statistically significant impact on tardiness. The results from this model demonstrate that banning earmarks leads to bills that are passed later on average, meaning they required more time to build a majority coalition, supporting my last hypothesis about earmarks in the House.

Timeliness in the Senate is a similar albeit slightly weaker relationship with earmarks than in the House. The distribution of the number of days late (Figure 8) looks similar to the House, which is to be expected considering final passage of each appropriations bill should occur at roughly similar times in both chambers. Again, bills appear to be passing later after the ban compared to before.

The boxplots (Figure 9) also look quite similar to those of the House, and the mean lateness is similar both before and after the ban—which again makes sense. Along the same lines, the difference between the mean tardiness before the ban (roughly 44 days) and the mean tardiness after (roughly 88 days) is similarly statistically significant in the Senate.



Figure 8. Number of Days Late Appropriations Bills Passed Senate

Figure 9. Timeliness in the Senate



The difference between the House and the Senate on timeliness shows itself in the regression models (Table 8). The relationship in both Senate models is statistically significant. Without controls, appropriations bills are passed on average roughly 44 days later after the ban than before, which is again close to the House's preliminary estimate of 46 days. Adding the controls in the House model strengthened the impact of earmarks. In the Senate, adding controls maintains the relationship, and none of the controls have a statistically significant impact on

	(1)	(2)
	Days Late ¹	Days Late ²
After Ban	43.874***(9.432)	43.659***(10.22)
President's Party		-12.305 (11.184)
Cong. Party		-7.535 (10.374)
Majority Total		-1.023 (1.732)
Intercept	43.71*** (4.983)	104.963 (94.039)
Ν	128	128
Adjusted R ²	0.139	0.138
Note ¹ Without control	s ² With controls added	Standard errors in

Table 8. Senate Timeliness Under the Earmark Ban

Note. ¹ Without controls. ² With controls added. Standard errors in parentheses. OLS regression models. ***p < 0.01, **p < 0.05, *p < 0.1 tardiness. Holding all else equal, bills passed in the Senate under the earmark ban are on average roughly 44 days later compared to those passed without the ban.

Methods of Passage: Preliminary Analysis

The final part of my analysis extends upon these results, looking at a preliminary analysis of the impact of the ban on the proportion of bills introduced that pass to fund the entire fiscal year (as opposed to a temporary continuing resolution that may fund the government for several days or weeks). Though the number of bills introduced before and after the ban appears fairly consistent (Appendix A), a visual assessment of the proportion of bills that pass to fund the year (Figure 10) appears to demonstrate a noticeable decrease after the ban was implemented. This suggests that despite having similar opportunities to pass appropriations legislation, Congress struggled more to actually do so under the ban.



Figure 10. Proportion of Introduced Appropriations Bills that Pass to Fund Entire FY

After the ban, not only are bills passed later on average, but there are also fewer bills passed that provide funding for the entire fiscal year, regardless of when they pass. As the regression model (Table 9) demonstrates, there exists a statistically significant negative relationship between the proportion of bills passed with funding for the whole fiscal year and the earmark ban. Under the ban, the proportion of bills introduced that end up passing with full-year funding is 0.202 lower than before the ban. In other words, to secure government funding for the rest of the fiscal year under the earmark ban, Congress passed fewer bills, meaning they used more unorthodox practices. This relationship is maintained even when controlling for partisan divisions in Congress and the White House. Holding all else equal, the proportion of bills that passed with full-year funding under the ban is 0.209 lower than before it. Interestingly, partisan control does not appear to have a statistically significant impact.

These two regression models should be understood alongside the caveat of having a very small sample size. While they may not prove definitively a direct relationship between the

	(1)	(2)
	Proportion	Proportion
	Passed to Fund	Passed to Fund
	Entire FY ¹	Entire FY
After Ban	-0.202***(0.067)	-0.209** (0.073)
Cong. Party		0.106 (0.097)
Pres. Party		-0.108 (0.081)
Intercept	0.26*** (0.046)	0.293*** (0.054)
Ν	18	18
Adjusted R ²	0.311	0.31

Table 9. Appropriations Bills that Pass to Fund Entire FY

Note. ¹ Proportion = Number of bills passed that provide funding for the entire FY / number of appropriations bills introduced. Standard errors in parentheses. OLS regression models. ***p < 0.01, **p < 0.05, *p < 0.1

earmark moratorium and the proportion of bills passed with full-year funding compared to those introduced, alongside other results and statistics, these models suggest there is likely more to the story.

Omnibus bills are themselves a tool to secure easier passage, and if Congress employed more of them following their loss of earmarks, it is conceivable to suggest that perhaps any negative impact the loss of earmarks had on majority and minority support in the House may have been counteracted to a degree by the positive impact of these alternative practices. This research makes no claim that an increased use of omnibus bills and continuing resolutions after the earmark ban cancelled out the effects of the ban itself—these results only suggest there could be something more happening than the House majority and minority support models suggest, particularly considering the earmark ban did have a statistically significant impact on timeliness.

Conclusion

This research demonstrates that the loss of earmarks did negatively impact coalition building for appropriations bills in some degree. In the House, though results for majority and minority support were contrary to what I expected, the slight decrease in majority support is nearly statistically significant at the 0.05 level, suggesting that earmarks may have had a minimal effect but nothing definitive. The only variable that significantly impacted majority support was whether the vote occurred at initial or final passage, with final versions of the bill garnering a smaller proportion of majority support. The effect of final passage makes sense considering the sizable impact the majority party has on the first version of the bill which then has to be compromised with Senate versions and considerations for the final version. The Senate's strong minority rights and individualistic nature seem predisposed to produce a compromise less palatable to the House majority compared to their initial version. The observed decrease in House minority support after the ban is more likely due to other factors, namely final passage, the size of the majority, and the President's party. Final passage increases minority support for appropriations bills—a result that follows the same logic as final passage decreasing majority support. A larger majority lowers minority support presumably because the majority is more insulated from minority criticism and less likely to need and seek minority support or as much support. When the President is in the same party as the House minority, minority support is lower on average, potentially indicating the minority's distaste for insulating the majority party from presidential veto.

In the Senate, both majority and minority support were easier to secure with earmarks than under the moratorium. The ban had the greatest effect on Senate majority support out of all the independent variables included in my analysis, reducing the proportion of majority support by 0.14 on average. Divisions in partisan control also impacted majority support. Fewer majority members vote in support on average when the president is of a different party, presumably because the bill is packaged to appeal to the minority. Similarly, more majority members vote in support on average when the House is controlled by a different party, perhaps in an effort to put more clout behind the Senate majority's version or because the Senate minority might see themselves in a more powerful position, with the House majority on their side. Minority support is also sizably impacted by the implementation of the earmark ban, which decreased the proportion of minority members voting in favor by 0.18 on average, holding all else equal. The only other statistically significant variable that decreased minority support was the size of the majority—a larger majority decreases the need to secure minority votes and dulls the pressure of the Senate's strong individualism.

The results in the Senate are consistent with several aspects of the Senate's nature. Most importantly, I would argue, is likely their reliance on UCAs. For legislation like appropriations that has to happen and should happen quickly, UCAs give the majority the ability to pass these bills without debate or dissent and in one fell swoop. These results seem to demonstrate that earmarks helped ensure, at least, that MCs were less likely to dissent to passage, enabling the majority to pass appropriations through UCAs, which they did for 46 votes on appropriations bills in the period analyzed before the ban and for only 6 after. The Senate is also highly individualistic and has stronger minority rights that grant members greater freedom, even within the confines of partisan politics—an effect that differs importantly from the majoritarian House in a way that appears consistent with these results.

The timeliness analysis suggests both the House and Senate are taking longer under the earmark ban to pass appropriations bills. Despite mixed results in the size and nature of coalitions in the House, the chamber does produce appropriations bills that are, on average, 53 days later after the ban than before. In the Senate, bills are on average 44 days later under the earmark ban. According to my preliminary analysis of appropriations bills aggregately, Congress as a whole also appears to be producing fewer pieces of legislation that provide funding for the entire fiscal year under the ban, with a smaller proportion of full-year funding bills being passed out of the total number of appropriations bills proposed. Taken as a whole, these last two sections of my analysis demonstrates that, even alongside the mixed results from the House, Congress is having a harder time building majority coalitions; they are taking longer to do so and using different methods, like more omnibus bills in place of regular appropriations. Without speculating too much, the continually decreasing use of regular appropriations legislation could very well be a means of compensating, at least partially, for the effects of losing earmarks.

Considering these results alongside the mixed results in the House, it appears that although the House majority is largely securing similar intraparty support, they are still experiencing increased difficulties in majority coalition building. While there appear to be other means through which the House is garnering roughly similar majority support (by way of its majoritarian nature or through increased use of omnibus legislation), these results suggest the process of doing so is taking longer and is thus more difficult. The same logic applies in the Senate. Without being able to induce MCs into adopting UCAs with the help of earmarks, the entire process of passing these bills in the Senate will take longer and be more difficult the more bills there are, resulting in the greater tardiness and fewer bills observed in the results.

This research adds to understandings of the role earmarks play in coalition building in the appropriations process, suggesting that, though there are certainly other factors at play, the earmark moratorium made it harder for Congress to build the coalition necessary to pass appropriations bills. More research is necessary to further isolate the effect of the ban and better analyze its impact. These results warrant a more in-depth investigation into the tools and methods party leaders are using in the absence of earmarks to build majority coalitions compared to their methods before the moratorium. Future research should also assess the electoral connection in the context of the ban and the extent to which electorally vulnerable members suffered at the polls without the insulation of pork barrel projects.

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Appropriations Bills Passed that Fund Entire FY Appropriations Bills Introduced