

**The President's Playbook:  
White House Strategies for Lobbying Congress**

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Abstract

In today's White House, implementing elaborate lobbying campaigns in support of the president's legislative initiatives is a familiar exercise. However, even as tales of presidential arm-twisting and deal-making abound, still unclear are the general strategies by which presidents can build winning coalitions on Capitol Hill. Here I propose that presidents have available two basic options for influencing Congress: they can *shift the distribution of preferences* for roll-call votes and they can  *censor the policy alternatives* that make it that far. The first constitutes a vote-centered strategy, the second an agenda-centered strategy. After developing each within a framework that explains presidents' choices of lobbying targets and tactics, hypotheses are tested against corresponding data on the interactions between administration officials and U.S. Senators for three important issues in the 107<sup>th</sup> Congress.

Presidency research has long been motivated by an interest in “presidential power.” When it comes to promoting legislative initiatives on Capitol Hill, the question has been whether a president can get lawmakers to accept something he wants but that they otherwise would not pass. As Richard Neustadt put it, “[the president’s] impact on the outcome is the measure of the man. His strength or weakness, then, turns on his personal capacity to influence the conduct of the men who make up government” (1990, 4).

Appraising presidents’ potential influence on lawmakers and the legislation they pass, the presidency literature has witnessed something of a sea-change over the last half-century. Far from the days when scholars thought a president’s legislative success turned on his personal character and political acumen (Barber 1972; Corwin 1957; Burns 1965; Neustadt 1960; Rossiter 1956), today’s researchers have identified a myriad of macro-level factors that constrain presidents’ capacity to translate policy proposals into the public laws. Among these are the separated nature of America’s federal institutions (Jones 1994), the “political time” presidents happen to inherit (Skowronek 1993), the state of the budget (Peterson 1990), the partisan composition in Congress (Bond and Fleisher 1990; Edwards 1989; Fleisher and Bond 2000; Sinclair 2006), and the preferences of certain “pivotal” lawmakers (Brady and Volden 1998; Krehbiel 1998).

Of course, that macro-level factors curtail presidents’ legislative potential does not mean presidents cannot exert influence in Congress; rather, it just underscores that micro-level factors like presidential arm-twisting, brow-beating, and horse-trading operate “at the margins” of lawmaking, as George Edwards (1989) put it. So while presidents cannot induce wholesale changes in legislators’ predispositions, evidence shows they do win more support for their “priority” initiatives and when they exert “effort” promoting them (Barrett and Eshbaugh-Soha 2007; Covington 1987, 1988; Covington, Wrighton, and Kinney 1995; Edwards and Barrett 2000; Light 1999; Peterson 1990;

Rudalevige 2002; Sullivan 1987, 1988). Thus Richard Neustadt's "later reflections" on presidential power sum-up the literature nicely. He writes:

But in my view the power of a President today derives from roughly the same sources as a generation ago, is comparably limited, similarly frustrating, more changeable than ever, yet as central to our system as before, a far cry still from congressional government. (1990, 183-4)

If presidents play an important, albeit limited, role in legislative coalition-building, the question that remains is how? In particular, by what mechanisms can presidents build winning coalitions for proposals they support? Here I argue that White House officials have available two basic lobbying strategies for promoting presidential proposals in Congress: they can *shift the distribution of preferences* for roll-call votes and they can *censor the policy alternatives* that make it that far. The former constitutes a vote-centered strategy, the latter an agenda-centered strategy. Below I specify each and integrate both in an account that explains presidents' strategic choice of lobbying targets and tactics on Capitol Hill. The data collected to test the White House's lobbying come from face-to-face interviews with the administration and Senate staffers involved on three high-stakes, high-salience issues in the 107<sup>th</sup> Senate (2001-2002): the first Bush tax cuts (H.R. 1836), the economic stimulus package (H.R. 3090), and the faith-based initiative (H.R. 7).

### **The Logic Behind Presidents' Lobbying**

On its face, the president's strategic task on Capitol Hill is plain enough: corral the votes needed to pass his preferred policies, or something as close to them as possible. Yet if the goal is clear, knowing how best to achieve it is anything but. Mark Peterson says, "But an essential measure of leadership ultimately has to be the capacity to prevail against the odds, and to know how to craft one's ambitions to fit the opportunities of the day" (1990, 267). Samuel Kernell adds, "The number

and variety of choices place great demands upon [presidents'] strategic calculation, so much so that pluralist leadership must be understood as an art... an ability to sense 'right choices'" (1993, 36).

Below I examine the logic motivating presidents' legislative lobbying, developing two strategies that uncover the legislative "opportunities" presidents perceive and explain the tactical "choices" they implement to exploit them.<sup>1</sup> Let me elaborate.

### **Strategy 1: Vote-Centered Lobbying**

Anecdotes of presidents wrangling for lawmakers' support on key roll-call votes provide great fodder for next-day news accounts and subsequent memoirs. For example, leading up to an important vote on his tax bill, Lyndon Johnson called Senator Abraham Ribicoff (D-CT) to say, "Hey Abe. Can't you go with us on this excise thing and let us get a bill? Goddamn it, you need to vote with me once in a while – just one time" (Miller Center Report 2000, 26). Some thirty years later, President Clinton buttonholed Senator Bob Kerrey (D-NE) for a similar plea as the crucial vote on his deficit reduction plan neared, an effort so intense he later joked about it: "And I want to thank you because it was so easy. There was no arm-twisting involved, (Laughter) not a deal made; it was all a high-flown sort of thing. (Laughter)... I would like to thank especially Bob Kerrey for never releasing the contents of our last telephone conversation (Laughter)" (4/23/1998).

Naturally, neither practitioners nor political scientists are shocked by such efforts; a vast literature has identified roll-call votes' paramount importance for determining a president's legislative fate and, in turn, pointed to a vote-centered strategy as integral to any White House lobbying offensive. Anthony King explains, "all you [the president] really need from Congress is votes, but you need those votes very badly" (1983, 247); Jon Bond and Richard Fleisher add, "Votes, therefore, are the basic commodity of presidential-congressional relations" (1990, 8); George Edwards asserts, "Presidential leadership of Congress typically revolves around obtaining or maintaining support for the chief executive's legislative stances" (1989, 4).

Formalizing these theoretical moorings and empirical findings, Keith Krehbiel (1998) and David Brady and Craig Volden (1998) have proposed a pivotal politics model of U.S. lawmaking. Building on the median voter theorem (Black 1948; Downs 1957) – including the assumptions that legislators’ preferences are single-peaked and symmetrical, the policy space is one-dimensional, and legislators enjoy full information – the pivotal politics model incorporates two of Congress’ super-majoritarian rules: the 2/3<sup>rd</sup> majority needed to override a presidential veto in each chamber and the 3/5<sup>th</sup> majority needed to invoke cloture in the Senate. Per the model, when the president prefers the status quo to some policy proposal, the “pivotal voter” ( $\theta$ ) is the 34<sup>th</sup> senator (away from the president). Because she decides whether a veto will succeed or fail, she can demand that status quos more extreme than her ideal get moved to it, while status quos more moderate than her position (but not the 60<sup>th</sup> senator) cannot be beat. When the president prefers some policy proposal to the status quo, the “pivotal voter” ( $\psi$ ) in the Senate is the 60<sup>th</sup> member opposite the president’s side; only when a bill reflects her ideal will she support cloture and allow it to pass on a final vote.

Given that pivotal voters ultimately decide the president’s legislative fate, the first option for an administration looking to pass a presidential initiative is clear: lobby the pivotal voters. Assuming presidential proposals seek to move far-off status quos toward the president’s ideological side, the administration ought to lobby the median voter in the majoritarian House and the 60<sup>th</sup> voter in the filibuster-ridden Senate, aiming to shift each towards the president’s position.

*Vote-Centered Hy 1: White House officials will bargain with lawmakers whose position in the preference distribution makes them likely to cast the “pivotal” vote on the president’s policy.*

[Insert Figure 1]

Figure 1 illustrates the logic of this vote-centered strategy in the Senate with a conservative president. As it shows, the president allocates scarce bargaining resources ( $B_p$ ) to affect changes in lawmakers’ preferences such that the pivotal senator is more supportive of the president’s position ( $\psi$ ) than she would be absent any presidential lobbying ( $\theta$ ). Though this bargaining may take any

number of tactical forms – from personal arm-twisting and back-slapping (e.g., Neustadt 1960) to public brow-beating (e.g., Canes-Wrone 2001; Kernell 1993) or even cashing-in on “options” from previous interactions (e.g., King and Zeckhauser 2003) – all reflect the same basic strategy: shifting lawmakers’ distribution of preferences to minimize the distance between the pivotal voter’s position and the president’s ideal.

### **Strategy 2: Agenda-Centered Lobbying**

Considering votes’ crucial role in deciding the president’s legislative fate, that a vote-centered strategy is central to presidents’ lobbying offensive is hardly surprising. But if gathering support voter-by-voter is one path by which the administration may build a winning congressional coalition, it is not the only one. As Charles O. Jones asserts, “However they are interpreted, roll call votes cannot be more than they are: one form of floor action on legislation. If analysts insist on scoring the president, concentrating on this stage of lawmaking can provide no more than a partial tally” (1994, 195). I agree, and below I propose a second, less visible lobbying strategy an administration may execute – namely, censoring the alternatives subject to votes.

To be sure, a rich literature has shown that pre-voting processes can affect what passes when votes are taken. In particular, scholars have demonstrated how a savvy agenda-setter can dramatically alter policy outcomes by manipulating the alternatives subject to votes (Arrow 1951; Grofman 2004; McKelvey 1976; Romer and Rosenthal 1978). When it comes to U.S. lawmaking, such attempts at agenda-manipulation are commonplace – a familiar enterprise among congressional leaders and the principal mechanism of their influence.<sup>2</sup> Not only do Congress’ leaders enjoy myriad advantages for drafting alternatives and shepherding them onto the congressional calendar (Aldrich and Rhode 2001; Cox and McCubbins 1993, 2005; Rhode 1991; Sinclair 1983, 1995), but also backbenchers’ legislative limitations are well-documented (Arnold 1990; Hall 1996; Kingdon 1989). And although the House’s rules further cement majority party leaders’ agenda-setting advantages by

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allowing them to block rival bills from consideration, research shows that even in the Senate, leaders' agenda-setting role remains important (Campbell, Cox, and McCubbins 2002; Cox and McCubbins 2005; Evans 1991). Larry Evans' finding from his study of Senate committees makes the point:

...committee outcomes often diverge from the position of the median voter, and we can expect this divergence to be in the direction of the preferences of senators, such as the chair and ranking minority member, who have disproportionate access to information and disproportionate control over which policy alternatives are considered. (1991, 156)

Drawing from this literature, then, let me make the simplifying assumption that each party's congressional leaders wield agenda control over the policy alternatives their colleagues vote among. In essence, I consider a stylized legislature where pivotal voters' principal influence does not come from writing bills and extracting concessions directly, but rather from shaping the strategic environment in which leaders (who draft proposals to secure the pivotal voter's support) operate.

If leaders set the alternatives from which their colleagues get to support with their vote, there are four basic conceptual "moving parts" facing a White House looking to influence Congress: the status quo, the presidential party leaders' alternative, the opposing party leaders' alternative, and the distribution of preferences over them. Given that status quos are determined exogenously and vote-centered lobbying (from above) explains how an administration aims to shift the preference distribution, the remaining strategic question for White House staffers is one of agenda-manipulation: how can we get our congressional leaders to advocate the president's position and opposing leaders not to challenge it, or at least something as close to it as possible? Below I elaborate on these two prongs of the White House's agenda-centered lobbying strategy.

### ***Setting the President's Alternative***

Despite the familiar label of “chief legislator”, presidents’ direct channels for getting proposals onto Congress’ agenda are limited, if they exist at all. Thus before a president can pass some policy initiative, he first needs his leading allies on Capitol Hill to propose and promote it. For only when congressional leaders use *their* agenda-setting prerogatives to get *the president’s* proposal among those from which legislators choose will the president’s bill even have a chance to pass.

Fortunately for presidents, their party’s congressional leaders often have strong incentives to “carry the president’s water”, as Richard Hall put it (1996). Not only do a president’s leaders tend to share his policy views, but as members of his party, they typically want to enhance his public reputation (see Cox and McCubbins 1993). Accordingly, the White House’s interactions with their party’s legislative leaders should entail a blend of bargaining and coordination; after first bargaining over exactly what policy they will advocate, presidents and their congressional leaders should then coordinate on how to promote that policy – where to strategically-position the bill and how to get pivotal voters to support it.

*Agenda-Centered Hy 1: White House officials will bargain and coordinate with their party’s congressional leaders to get (and help) them to advocate the president’s proposals in Congress.*

### ***Averting Opponents' Alternative***

But if having leading allies advocating the president’s policy guarantees its consideration, such is only an intermediate step to the White House’s ultimate goal of passing it. Beyond the vote-centered strategy discussed above, a second option for passing the president’s bill is the other prong of an agenda-centered strategy: convincing leading opponents not to challenge it, or something close. If successful, then the president’s plan can prevail so long as pivotal voters deem it preferable to the status quo – a much easier threshold than beating a strategically-drafted rival bill.

[Insert Figure 2]

Figure 2 illustrates this point, showing that with a status quo at  $sq$ , the pivotal voter ( $f$ ) would prefer any alternative between  $sq$  and  $-sq$  to nothing-at-all (see Romer and Rosenthal 1978). Consequently, if leading opponents decide not to advocate a rival bill, the president could propose something as close to his ideal as  $-sq$  and see it pass – without any changes in senators’ preferences, without any last-minute lobbying for votes.

But why would an opposing leader ever “pull her punches” on an issue? The answer turns on opposing leaders’ agenda-setting calculus – the value they see in fighting versus not fighting. As the well-known voting models show, in a competition between rival alternatives, the equilibrium is whatever the median (Black 1958; Downs 1957) or otherwise pivotal voter (Brady and Volden 1998; Krehbiel 1998) prefers. Returning to Figure 2, we see that leading opponents’ decision about whether or not to challenge the president turns on the difference they expect between what the pivotal voter will ultimately support ( $f$ ) and an outcome closer to the president’s ideal ( $-sq$ ).

Notice, then, that one way to convince leading opponents not to challenge the president’s plan is to persuade them that such efforts would not make a difference. After all, if they are going to get the president’s preferred policy anyhow – i.e., if  $f$  and  $-sq$  are equivalent – opposing leaders have no reason to wage an unwinnable war. Accordingly, the hypothesis is that one way to convince leading opponents not to offer a rival bill is by showing them swing voters would support the president’s position anyway.

*Agenda-Centered Hy 2: White House officials will bargain with lawmakers whose position in the preference distribution makes them likely to cast the “pivotal” vote on the president’s policy, not for their votes per se, but rather as a way of weakening opposing leaders’ bargaining position.*

Of course, rare is the case where a president can get pivotal voters to support his *ideal* policy. To overcome any difference that might remain (between  $f$  and  $-sq$ ), therefore, an agenda-centered strategy requires the president deter leading opponents from fighting over the difference. The president can do this inasmuch as he can persuade leading opponents the intra-policy benefits of

fighting would be small and/or the extra-policy costs would be large. Aside from making concessions on the policy at hand, such is possible per some combination of bargaining tactics – be them private arm-twisting, public brow-beating, or an offer of various president-controlled selective incentives. Again, the idea is that if diverting some of the president’s bargaining resources away from pivotal voters ( $B_p$ ) and toward leading opponents ( $B_o$ ) deters those leaders from challenging the president’s proposal, or something close, then a president can pass a bill closer to his ideal than would be possible if these opponents countered him (and his leading allies) at every turn.

*Agenda-Centered Hy 3: White House officials will bargain with opposing party’s congressional leaders to deter them from challenging the president’s proposals in Congress.*

### **Testing Presidential Lobbying**

Unfortunately, there are no systematic records of presidential-congressional interactions, especially those occurring among surrogates and behind-the-scenes. Gathering accurate lobbying data thus requires collecting that information from the handful of people with personal knowledge of them. Only by systematically amassing these practitioners’ private information can one develop valid indicators of whom the White House lobbies, and how.<sup>3</sup> To this end, I gathered such data during face-to-face interviews with White House and Senate staffers about their interactions on three important issues in the 107<sup>th</sup> Congress (2001-2002): the first Bush tax cuts (H.R. 1836), the economic stimulus package (H.R. 3090), and the faith-based initiative (H.R. 7).<sup>4</sup>

#### ***Selecting Cases***

The decision to anchor the empirics on the White House’s lobbying for three issues in the Senate during the 107<sup>th</sup> Congress reflects a particular research strategy. Ideally, of course, I would gather lobbying data not only for a large  $n$  sample of legislators, but also for a large  $n$  sample of bills, presidents, chambers, Congresses, and so on. But, as is often the case, data availability and resource constraints force a tradeoff between breadth and depth. Hence my overriding goal in case selection

was getting precise, in-depth data on the White House's lobbying activities for cases that are especially appropriate to theoretical treatments but at the same time typical enough to provide insights beyond the particular cases. Let me explain.

First, I chose to focus my data-collection on the United States Senate for three reasons. One was that previous works (esp. Brady and Volden 1998; Krehbiel 1998) cite the Senate's supermajoritarian rules as central to the presidential-congressional relationship. Second, the Senate provides a harder test of the argument that leaders' agenda-setting is an important stylistic feature of the policymaking process since the venerated upper chamber is said to empower every member, affording senators a sizable staff to draft proposals and the procedural latitude to advocate them. Finally, in practice, the binding constraint on President Bush's legislative agenda during the 107<sup>th</sup> Congress was the Senate. While the House's majority more-or-less rubber-stamped their President's proposals, controversy and uncertainty characterized the Senate's policymaking. Therefore, for both theoretical and practical reasons, focusing on the 107<sup>th</sup> Senate affords the analytical and empirical leverage needed to evidence the full range of the White House's lobbying operation.

Within the Senate, the choice of issues – the first Bush tax cuts, the stimulus package, and the faith-based initiative – was guided by a similar rationale, namely they are theoretically instructive and practically available. Theoretically, all exhibited characteristics typical of “major” domestic legislation; each had substantial budgetary implications, evoked considerable controversy, and attracted substantial attention. Practically, my choice of tax issues (as opposed to, say, health issues) reflects the fact that tax policy was the White House's principal area of domestic interest and activity in the 107<sup>th</sup> Congress.

The final question concerned which senators to include in the data collection. Again, since my hypotheses predict whom the White House should lobby and how they should lobby them, capturing the important variations among senators – especially leaders, pivotal voters, and a referent

group – was paramount. As such, at the conclusion of the 107<sup>th</sup> Congress, I interviewed a stratified random sample of fifty-seven Senate offices’ “point person” for each of the three issues introduced above.<sup>5</sup> The respondents were randomly selected from the following strata:<sup>6</sup>

- 6 of 7 senators closest to filibuster pivot, according to the 2001 *CQ* Party Unity scores<sup>7</sup>
- 6 of 7 senators closest to median voter, according to 2001 *CQ* Party Unity scores
- 12 of 16 non-leader committee members
- 6 of 6 committee and party leaders
- 15 other Democrats
- 15 other Republicans

### *Measuring Presidential Lobbying – The Number of Contacts*

To measure the White House’s quantity of lobbying contacts with lawmakers on each issue, I asked each senator’s lead staffer for that issue the following question: “For any given issue, the White House can call on a whole host of people to work with Senators and their staffs regarding legislation. This can range from the President himself to his advisors, Cabinet members to agency staff. So I guess my first question is whom were you talking in the Administration? Let’s start with the tax cuts.” The same routine was repeated for the other two issues respectively.

When introducing the question, I handed the respondent a form listing the administration officials who were active on the issue. This form asked them to “Please check off the category that best reflects the number of conversations - face-to-face or on the phone - that your Senator and his/her staff had with the following people regarding [the issue under study].” The categories provided were none (0), a couple times (1-3), several times (4-8), many times (9-15), and repeatedly (>15). If the respondent indicated having more than 15 contacts with a particular White House official, I further asked her to estimate how many conversations people in her office had with that official and/or his or her staff. The way I did this was to estimate “on average, how many

conversations took place in the weeks leading up to the markup? In the weeks leading up to the floor debate? In weeks after the floor debate?” Combining those answers with the length of time captured by each, I inferred the total number of contacts between the White House official and senator/staff on that issue. Hence the dependent variable here is an interval-level estimate of the number of contacts between administration officials and senator  $i$ 's office for issue  $j$ .

### *Measuring Presidential Lobbying – The Nature of Contacts*

With the number of interactions between administration officials and senators' offices in hand, the interview turned to examining their content. After introducing the goal of “exploring the nature of your and your senator's interactions with the administration on the three issues we have been discussing,” I handed the respondent a final form – one that listed various “types of interactions.” For each activity, I asked the staffer to “please rate the effort White House advocates exerted in their dealings with your Senator or his/her staff.” The categories offered were “none at all” (0), “a little effort” (1), or “a lot of effort” (2). Respondents checked-off their answers.

Before proceeding to the actual measures, it is worth noting that I showed draft lists of the lobbying activities detailed below to six current and former White House officials (most of whom served in the White House's Office of Legislative Affairs). I asked each, “In looking over these activities, how well does it seem to classify the types of things that go on between White House officials and people on Capitol Hill?” The universal answer was that if it was not exhaustive, it was pretty close. Said one senior White House official after studying the form for about 30 seconds, “Gee, this is really interesting. I'm trying to think of one example of a conversation that wouldn't fit in here... so far I haven't come up with anything.” A different White House official said, “This is really good. I think you've pretty much got it all on here – certainly all the big things.”

To measure the White House's “bargaining” tactics with each senator on each bill – i.e., lobbying activities intended to induce changes in senator  $i$ 's position on issue  $j$  – the form included

items intended to operationalize private and public persuasion, and also deal-making. The private persuasion items were "...argued the policy merits"; "... argued the importance to the president and/or the party"; "...argued the public popularity of the President and/or his policy". The items used to tap public persuasion were "...mobilized a grassroots campaign in your state"; "...mobilized interest groups to contact your Senator in support of the President"; "...mobilized state party leaders of public officials to contact your Senator in support of the President"; "...generated news coverage in your state". Finally, the deal-making items were "...proposed to offer (or threatened to withhold) the President's help on different bill or on a peripheral provision"; "...proposed to offer (or threatened to withhold) the President's help in an electoral campaign or with fundraising"; "...proposed to offer (or threatened to withhold) a personal favor". While not meant to measure one construct per se, the Cronbach alpha for these 10 items is .87, indicating that whatever leads the White House to target a senator for one tactic also leads them to target her for other bargaining activities as well. As such, I merge the various elements into an omnibus measure of "bargaining" (scaled 0-2) – indicating the White House's average level of bargaining with senator *i* for issue *j*.

Measuring the White House's choice of coordination tactics with senators was easier since the manifestations are less varied. The two coordination measures asked each respondent whether the White House had done the following with the Senator or his/her staff: "...consult your Senator to help effectively use policy information and analysis in Congress" and "...consult your Senator to help devise, develop, and execute White House's legislative strategy." As before, the options offered were "none at all" (0), "a little effort" (1), or "a lot of effort" (2). The correlation between these two items was .68. As such, I again combined these items into an omnibus measure of "coordination" (scaled 0-2) indicating the administration's average level of coordination with senator *i* for issue *j*.

## Results

In contrast to the conception of White House coalition-building in the Senate as akin to “herding cats” one-by-one, the account proposed here predicts that only a handful of lawmakers should be in the White House’s lobbying crosshairs. The president and his team should aim their lobbying arsenal at the President’s leading allies, leading opponents, and potentially pivotal voters. Indeed, they should train their bargaining resources on the few leaders who will set the alternatives subject to votes and the few senators whose votes will decide which prevails. Additionally, the administration should work with their leading allies on how best to promote the president’s bills.

[Insert Table 1]

Table 1 displays the White House’s average lobbying activities across the bills in this study. As it shows, the White House’s lobbying contacts on Capitol Hill were not just disproportionately focused on the predicted senators, but almost exclusively focused on them. Weighting to account for the oversample of leaders, committee members, and pivotal voters, more than 95% of all White House contacts with senators came with the just 13 senators – the Senate’s 6 (committee and party) leaders and 7 likely pivotal voters. For every conversation they had with the typical non-pivotal backbencher, the president’s team averaged 273 times as many with their own party’s leaders, 33 times as many with the opposing party’s leaders, and more than twice as many with pivotal voters.

Turning to the content of these interactions sheds light on their purpose, and it again indicates the White House focused their efforts on the predicted senators. When bargaining, the administration primarily did so with each side’s leaders (the 6 leaders averaged “a little” bargaining across all items and issues), followed by pivotal voters (who averaged between “none-at-all” and “a little”). By contrast, the White House almost never targeted the typical non-pivotal backbencher for bargaining attention; the median non-pivotal backbencher answer for all 10 bargaining items is “none at all.” And when it came to sharing information and coordination action, the White House

almost exclusively did so with their own party's leaders – the senators whom the president depends on to actually gets and keeps his bill on Congress' agenda.

At first blush, then, the two-pronged conception of presidential lobbying proposed above finds clear support. When heading to Capitol Hill to promote the president's initiatives, White House aides sought out the few leaders who propose the major alternatives in Congress and the few senators whose votes were likely to determine which alternative would pass. The administration's goal, it seems, was to make all these senators more supportive of the president's position, and also to work with their leading allies to promote it.

### *A Multiple Regression Test – The Number of Contacts*

The data presented to this point just reflect descriptive statistics. As such, one may worry that these patterns are confounded by other, more important factors, or perhaps are unreliable. By translating the strategies of presidential lobbying into a multiple regression test that accounts for both vote-centered and agenda-centered lobbying, I can not only obtain statistical estimates of the strategies, but also account for the degree of uncertainty reflected in the results above.

Table 2 accounts for vote-centered lobbying (vote-centered by 1) with two variables. The first is a dummy variable indicating the seven senators closest to the “pivot point” on each bill according to the 2001 *CQ* Party Unity Scores – the median voter on the tax cuts and filibuster pivot on the stimulus package and faith-based initiative. The second variable interacts this initial measure of “pivotal voters” with committee membership, thereby accounting for the hypothesis that it is not just pivotal voters that are decisive, but especially pivotal voters on the committee of jurisdiction (because of the cues they send to like-minded colleagues) (see Krehbiel 1991).<sup>8</sup>

To test the direct agenda-centered hypotheses – that White House officials should lobby their leading allies (agenda-centered by 1) and opponents (agenda-centered by 3) to censor the alternatives making it to the floor – the model listed in Table 2 also includes variables for the six

senators in issue-specific leadership posts. First, I include dummy variables for the president's leading allies – one for the Republicans' Committee leader, another for his floor leaders (e.g., the Majority/Minority leader and Whip). Second, I include the comparable variables for the president's leading opponents – the Democrats' Committee leader and another for their two top floor leaders.

Although these leadership variables capture the direct lobbying expected from a White House looking to restrict the agenda, they do not capture the indirect portion of the argument – namely that the White House should lobby potentially swing voters to weaken leading opponents' bargaining position (agenda-centered by 2). The variables needed to test that hypothesis are the same as those needed to test the hypothesis of lobbying swing voters qua swing voters (vote-centered by 1). So while the model is correctly specified, the coefficients on pivotal voters are observationally equivalent, making it impossible to partition how much of the lobbying aimed at pivots was for their votes per se and how much was actually intended to “soften” leading opponents' leverage in negotiations. Instead, these tests only allow me to say whether or not senators' proximity to the “pivot point” made them especially lucrative lobbying targets.

Another important modeling note is that because the theoretical emphasis is on strategic agenda-setting as a game among leaders, the multiple regression model includes two control variables that isolate the importance of leadership posts. Specifically, I control for each senator's partisanship as well as whether or not she was on the committee of jurisdiction. Including these dummy variables means the leadership variables only reflect the lobbying increases associated with holding a leadership post, independent of his or her partisanship and committee membership. Finally, I include dummy variables for each issue, which control for the difference in overall number of lobbying contacts between the White House and Senators from issue to issue.

As a last point, recall that the dependent variable is an interval-level estimate of “the number of conversations - face-to-face or on the phone - that [each] Senator and his/her staff had with the

following people regarding [each issue].”<sup>9</sup> Grouping the three cases together, the dependent variable used for this analysis is the number of contacts between the White House and Senator  $i$ 's office on issue  $j$  (the tax cuts, stimulus package, or faith-based initiative).

[Insert Table 2]

Turning to the Table 2, we see agenda-centered hypothesis 1 finds abundant support. As predicted, the coefficients for both the Republican committee leader and party leaders are large, positive, and statistically significant. Substantively, the leadership coefficients indicate that their party's leaders are the White House's foremost lobbying targets. Whereas the predicted number of lobbying contacts between the White House and a supportive backbencher is 11, it jumps to 1064 for their party leaders, and more than 6000 for their committee leader. The striking frequency of these interactions shows just how integral the relationship between presidents and their congressional leaders is. In fact, this indicates that the ample research on presidents' "skill" may be missing something; as much as a president's personal skill may or may not affect his legislative success, at least equally important may be that of his party's congressional leaders.

A second portion of the White House's agenda-centered lobbying strategy also finds strong support in Table 2. As predicted, leading Democrats were lobbied frequently, and far more than we would expect if they were taken out of their leadership positions. The coefficients on both Democrats' party leaders and committee leader were positive, large, and statistically significant. While the predicted lobbying contacts with Democratic backbenchers were fewer than 4, their party and committee leaders were predicted to have 38 and 1032 conversations with the president's aides respectively. Clearly the White House did not lobby all opponents equally, but rather they targeted those few opponents with the institutional capacity to turn their opposition into a viable alternative.

Finally, the president's team did target those senators whose relative position in the preference distribution makes them especially likely to cast the decisive vote, all else equal. While

swing voters on the committee were no more lobbied than the committee's other non-leaders, the floor's pivotal voters were lobbied significantly more often than other backbenchers of their party. Although collinearity makes it impossible to know exactly how much of this lobbying was aimed winning these senators' votes and how much was aimed at undercutting leading opponents' bargaining leverage, they do show that the White House did disproportionately lobby senators whose votes were most likely to prove decisive, all else equal.

### *A Multiple Regression Test – The Nature of Contacts*

Moving to the content of the White House interactions with U.S. senators, I again find that the White House's lobbying operation is focused on both party's leaders, as well as pivotal voters, though with some interesting differences between them. Table 3 offers the multiple regression results for the content of the White House's lobbying, using the same model specification as in the contact analysis above.

[Insert Table 3]

As before, we see that getting and keeping their own leaders trained on the president's preferred bill is a central plank of the White House's lobbying effort, as is working with them to promote it. Of all senators, it is the president's own party leaders who are predicted to receive the most intensive of bargaining effort from the White House. While a non-pivotal backbencher is expected to receive almost no bargaining pressure ("a little" for roughly 2 of the 10 items in the bargaining scale), put in a leadership position makes that same member a primary target – one expected to receive between "a little" and "a lot" of bargaining for each item, for each issue. And beyond keeping the president's preferences at the fore of their party leaders' minds, the White House also works with them to help achieve those goals. In fact, these leading allies are the only ones with whom the administration consistently shares information and coordinates actions. This

again corroborates the notion that presidents and their congressional leaders monitor the ever-evolving legislative environment and coordinate changes to their proposal and lobbying in response.

On the hypotheses of demobilizing their leading opponents and attracting pivotal voters, again the patterns match the predictions. Even as the White House targets opposing leaders and pivotal voters for bargaining activities, they avoid sharing policy information and political intelligence with them. As such, these multiple regression results bolster the view that the president's goal was deterring opposing leaders and attracting pivotal voters, not working with them.

In sum, the multiple regression results, like the descriptive patterns, are consistent with the explanation of presidential coalition-building detailed above and all its principal hypotheses. When pushing the president's legislative agenda in Congress, White House officials sought out the few leaders whose position allowed them to determine what alternatives got considered, and also the few members whose votes were likely to decide which alternative ultimately passed. The president and his team attempted to induce these key senators to be more supportive the president's proposal than they otherwise might have been, all while working with their own party's leaders to capitalize on whatever support they could muster.

### **Discussion**

The decisions White House officials make when pushing the president's legislative agenda lie at the heart of the presidency's positive role in U.S. lawmaking. In developing and executing a lobbying strategy, presidential aides not only reveal the opportunities they see for passing the president's proposals, but also the tactics they deem effective for capitalizing on them. Therefore, understanding what presidents do to build winning coalitions for their legislative initiatives is an integral step to assessing the practice and potential of presidential leadership. To date we have lacked such an account.

Agreeing that a president's policymaking potential is highly constrained by the Congress he happens to confront, my argument is that White House advisors see two basic strategies available given those constraints: they can shift the distribution of preferences for roll-call votes and they can censor the alternatives that make it that far. The lobbying data collected to test this account showed President George W. Bush's team did, in fact, concentrate their lobbying efforts on just a handful of senators: the leaders who drafted the major alternatives considered in Congress and the pivotal voters likely to determine which would pass. Further investigating the content of these interactions corroborated the view that the White House's goal was getting and keeping their leading allies focused on the president's preference (all while helping them promote it), "softening" their leading opponents' willingness to challenge it, or something close, and attracting potentially pivotal voters toward the president's position. Interestingly, much of the presidential-congressional relationship appears to be aimed at working around pivotal voters' preferences, not changing them directly.

Extending this logic of presidential lobbying to legislative outcomes, a blueprint for renewed research on presidential power emerges. Drawing from this account, the president's policymaking prospects should improve when he enjoys ample bargaining resources, like-minded party leaders in Congress, and either pivotal voters or leading opponents who can be "beat down" or "bought off." By contrast, if two of these three key groups – leading allies, leading opponents, or pivotal voters – staunchly oppose the president's plan, his predicted prospects range from not even reaching a vote to losing once there. Also, any president who chooses not to lobby, or lacks sufficient bargaining resources when he does, is expected to be bound by pivotal voters' preferences, at least in terms of legislation. By disentangling these strategic threads, future research could provide more fine-grained analyses, more subtle inferences about the conditional nature of presidents' positive influence in U.S. lawmaking.

<sup>1</sup> It is worth emphasizing that mine is a study of strategic choice. That is, I distinguish between presidents' choice of lobbying strategies and the effectiveness of their execution. Presumably the former anticipates the latter, but they are not the same, nor do I mean to suggest as much.

<sup>2</sup> This is not to say leaders' efforts "whipping" members for their votes are unimportant, but rather it notes that vote-whipping is less common and less central to congressional leaders' legislative role than is agenda-manipulation. As Cox and McCubbins say, "[cartel] theory does not predict that floor voting discipline in the House will be nil, just that it will be secondary to agenda manipulation" (2005, 215). It is a point supported by Mayhew's finding that "Party 'pressure' to vote one way or another is minimal" (1974, 100; see also Mayhew 2000).

<sup>3</sup> Owing to my theoretical focus on presidential-congressional relations, my empirics also focus on interactions between administration officials and congressional members. One limitation of this emphasis on inter-branch dynamics is that these measures do not account for intra-congressional interactions, such as those among leaders or between leaders and potentially pivotal voters.

<sup>4</sup> Detailed legislative summaries can be found in *CQ Almanac*, for the first tax cuts (2001, 18-3), the economic stimulus package (2002, 12-6), and the faith-based initiative (2001, 17-3; 2002, 15-6).

<sup>5</sup> The sample total adds up to a number larger than the actual number of interviews because of senators who were in two categories (i.e., 3 committee members were also among the potential pivotal voters). Also, in a few cases I was only able to get data for a subset of the three issues because the staffer who had worked on a particular bill had left Washington in the meantime – either because of a new job or in one case because her boss lost his bid for reelection.

<sup>6</sup> In seeking interviews with this sample, I suffered three refusals, all from Democratic backbenchers (approximately a 95% response rate). I replaced those cases by resampling in that stratum. I also interviewed more than a dozen current and former White House officials.

<sup>7</sup> *CQ's* Party Unity scores were used on the idea they best reflect the types of issues that presidents address – issues that are partisan and controversial. That said, it is worth noting that the 107<sup>th</sup> Senate's Party Unity Scores were highly correlated with the National Taxpayers Union scores (.99) as well as Poole and Rosenthal's DW-NOMINATE scores (.96), and rerunning the analysis using either of those measures yields the same results.

<sup>8</sup> In the analyses below, adding another variable that controls for the seven senators closest to the median does not change the results, all coefficients remain equivalent in size and significance.

<sup>9</sup> Because this dependent variable is an event-count measure – i.e., a count of the number of lobbying contacts between the White House and Senator  $i$  on issue  $j$  – OLS cannot be used. Instead, the proper estimating technique is a Negative Binomial Regression (see Long 1997).

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Table 1  
 Mean Quantity and Content of White House – Senator Contacts  
 on the Tax Cuts, Stimulus Package, and Faith-Based Initiative, 2001-2002<sup>1</sup>

	Supporting Leaders	Pivotal Voters	Opposing Leaders	All Others
Avg. # of Contacts	3129	23	376	11
<u>Bargaining Tactics<sup>2</sup></u>				
“When dealing with your Senator and/or staff, did the White House...?”				
“...argue the policy merits?”	2.0	0.8	1.3	0.5
“...argue the importance to the President and/ or party?”	2.0	0.7	1.4	0.5
“...argue the popularity of the President and/ or his policy?”	1.2	0.5	1.3	0.3
“...propose to offer (or threaten to withhold) the President’s help on different bill or on a peripheral provision?”	1.0	0.1	0.6	0.0
“...propose to offer (or threaten to withhold) the President’s help in an electoral campaign or with fundraising?”	0.3	0.0	0.0	0.0
“...propose to offer (or threaten to withhold) a personal favor?”	0.3	0.0	0.0	0.0
“...mobilize grassroots campaign in your state?”	0.9	0.6	1.5	0.3
“...mobilize important interest groups to contact your Senator in support of the President?”	1.7	0.9	1.8	0.4
“...generate news coverage in your state?”	0.5	0.9	1.4	0.2
“...mobilize state party leaders or public officials to contact your Senator in support of the President?”	1.2	0.7	1.0	0.2
<u>Coordination Tactics<sup>2</sup></u>				
“When dealing with your Senator and/or staff, did the White House...?”				
“...consult your Senator to help effectively use policy information and analysis in Congress?”	1.8	0.2	0.0	0.3
“...consult your Senator to help devise, develop, and execute White House’s legislative strategy?”	1.6	0.2	0.3	0.2

<sup>1</sup> Data are weighted to correct for oversample of leaders, committee members, and pivotal voters. Leaders include each party’s two top floor leaders and committee leader. Pivotal Voters are determined by the 2001 *CQ* Party Unity Scores. For the tax cuts they are 7 Senators closest to 50<sup>th</sup> voter; for the stimulus package and faith-based initiative they are 7 Senators closest to 60<sup>th</sup> voter.

<sup>2</sup> Asked about the White House’s effort exerted for each activity with senator *i* on issue *j*, respondents answered “none at all” (0), “a little effort” (1), or “a lot of effort” (2)

Table 2  
 Negative Binomial Regression for the Number of White House – Senator Contacts  
 on the Tax Cuts, Stimulus Package, and Faith-Based Initiative, 2001-2002<sup>1</sup>

		Coef. (Robust SE) <sup>2</sup>	z-score
Setting the President's Alternative	Supporting Party Leaders	3.30 (.37)	8.92*
	Supporting Committee Leader	5.14 (.33)	15.62*
Averting Opponents' Alternative	Opposing Party Leaders	1.41 (.58)	2.46*
	Opposing Committee Leader	4.71 (.46)	10.22*
Shifting the Distribution of Preferences	Pivotal Voter * Committee Member	0.12 (.94)	0.12
	(Floor) Pivotal Voter	1.33 (.55)	2.41*
	Constant	-0.10 (.39)	-0.27
	Log Likelihood	-537.37	
	N	167	

Question Wording: “Please indicate the number of conversations - face-to-face or on the phone - that your Senator and his/her staff had with the following people regarding [each issue].” The “people” listed were the Administration staffers active on tax issues, and their answer indicates an interval-level estimate of the number of contacts between administration officials and senator *i*'s office for issue *j*.

\* p < .05

<sup>1</sup> The model also includes control variables for party, committee membership, and each bill.

<sup>2</sup> Standard errors are adjusted for clustering on Senator.

Table 3  
 OLS Regression for the Content of White House – Senator Contacts  
 on the Tax Cuts, Stimulus Package, and Faith-Based Initiative, 2001-2002<sup>1</sup>

		<u>Bargaining</u>		<u>Coordination</u>	
		Coef. (Robust SE) <sup>2</sup>	<i>t</i>	Coef. (Robust SE) <sup>2</sup>	<i>t</i>
Setting the President's Alternative	Supporting Party Leaders	.72 (.28)	2.57*	1.13 (.20)	5.54*
	Supporting Committee Leader	.43 (.15)	2.83*	.88 (.20)	4.53*
Averting Opponents' Alternative	Opposing Party Leaders	.60 (.08)	7.45*	-.17 (.11)	-1.52
	Opposing Committee Leader	.73 (.08)	9.00*	-.05 (.25)	-.18
Shifting the Distribution of Preferences	Pivotal Voter * Committee Member	.18 (.21)	.85	.28 (.63)	.45
	(Floor) Pivotal Voter	.32 (.14)	2.31*	.09 (.08)	1.13
	Constant	.23 (.08)	2.99*	.08 (.06)	1.34
		R <sup>2</sup>	.42	.46	
		N	167	167	

Question Wording: “For each activity listed, please rate the effort White House advocates exerted in that regard with your Senator or his/her staff for that issue – no effort, a little effort, or a lot of effort.” The relevant activities were sorted into a “bargaining” index and a “coordination” index, with each scaled 0-2, where 0 = none at all, 1 = a little effort, and 2 = a lot of effort.

\*  $p < .05$

<sup>1</sup> The model also includes control variables for party, committee membership, and each bill.

<sup>2</sup> Standard errors are adjusted for clustering on Senator.

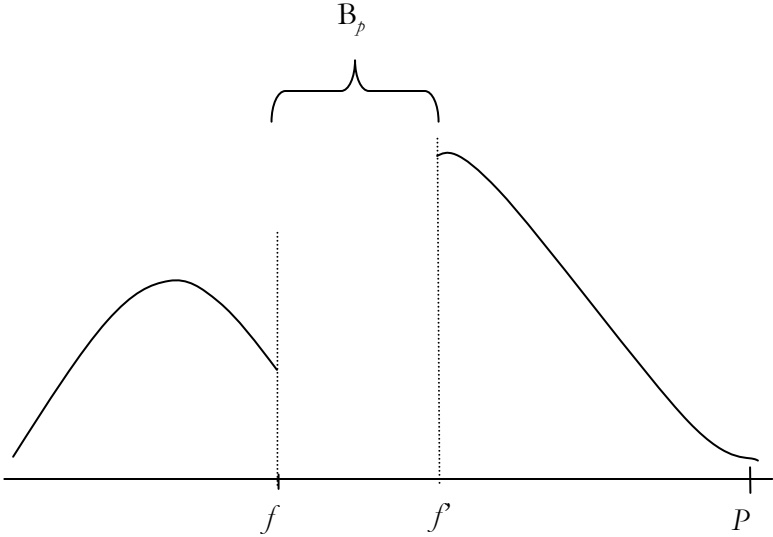


Figure 1  
Vote-Centered Lobbying

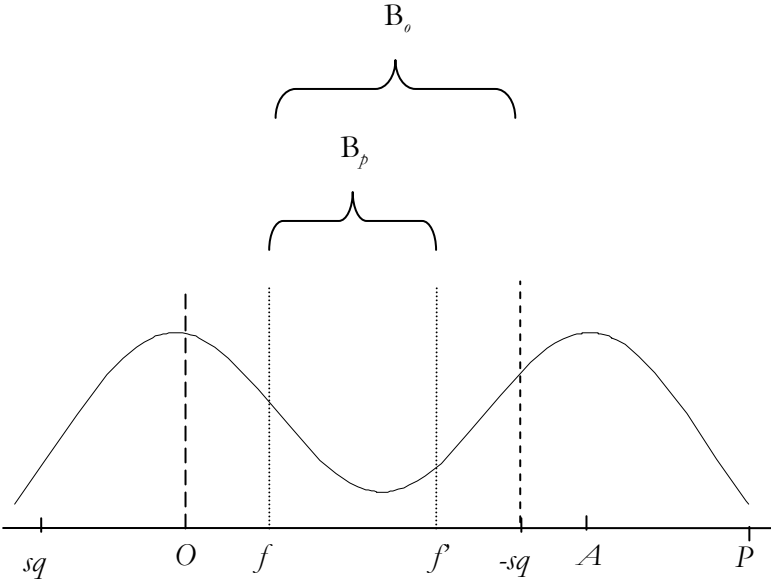


Figure 2  
Agenda-Centered Lobbying