

Cambridge University Press

978-1-107-02318-5 - Congress and the Politics of Problem Solving

E. Scott Adler and John D. Wilkerson

Frontmatter

[More information](#)

## Congress and the Politics of Problem Solving

*Congress and the Politics of Problem Solving* shows how a simple premise – voters are willing to hold lawmakers accountable for their collective problem-solving abilities – can produce novel insights into legislative organization, behavior, and output. How do issues end up on the agenda? Why do lawmakers routinely invest in program oversight and broad policy development? What considerations drive legislative policy change? Knowing that their prospects for reelection are partly dependent on their collective problem-solving abilities, lawmakers support structures that enhance the legislature's capacity to address problems in society and encourage members to contribute to nonparticularistic policy-making activities. The resulting insights are innovative and substantial: incumbents of both parties have electoral incentives to be concerned about Congress's collective performance; the legislative issue agenda can often be predicted years in advance; nearly all important successful legislation originates in committee; many laws pass with bipartisan support; and electoral replacement, partisan or otherwise, is not the most robust predictor of policy change. The electoral imperative to address problems in society offers a compelling explanation for these findings and provides an important new perspective on the dynamics of lawmaking in legislatures.

E. Scott Adler is Associate Professor of Political Science at the University of Colorado, Boulder. Among his publications are the books *Why Congressional Reforms Fail: Reelection and the House Committee System* and *The Macropolitics of Congress*. He received a BA from the University of Michigan in 1988 and a PhD from Columbia University in 1996.

John D. Wilkerson is the Director of the Center for American Politics and Public Policy at the University of Washington. He received his PhD from the University of Rochester in 1991.

Cambridge University Press

978-1-107-02318-5 - Congress and the Politics of Problem Solving

E. Scott Adler and John D. Wilkerson

Frontmatter

[More information](#)

---

Cambridge University Press

978-1-107-02318-5 - Congress and the Politics of Problem Solving

E. Scott Adler and John D. Wilkerson

Frontmatter

[More information](#)

---

# Congress and the Politics of Problem Solving

**E. SCOTT ADLER**

*University of Colorado, Boulder*

**JOHN D. WILKERSON**

*University of Washington, Seattle*



**CAMBRIDGE**  
UNIVERSITY PRESS

Cambridge University Press  
978-1-107-02318-5 - Congress and the Politics of Problem Solving  
E. Scott Adler and John D. Wilkerson  
Frontmatter  
[More information](#)

CAMBRIDGE UNIVERSITY PRESS  
Cambridge, New York, Melbourne, Madrid, Cape Town,  
Singapore, São Paulo, Delhi, Mexico City

Cambridge University Press  
32 Avenue of the Americas, New York, NY 10013-2473, USA  
[www.cambridge.org](http://www.cambridge.org)  
Information on this title: [www.cambridge.org/9781107670310](http://www.cambridge.org/9781107670310)

© E. Scott Adler and John D. Wilkerson 2012

This publication is in copyright. Subject to statutory exception and to the provisions of relevant collective licensing agreements, no reproduction of any part may take place without the written permission of Cambridge University Press.

First published 2012

Printed in the United States of America

*A catalog record for this publication is available from the British Library.*

*Library of Congress Cataloging in Publication data*

Adler, E. Scott.

Congress and the politics of problem solving / E. Scott Adler, John D. Wilkerson.  
p. cm.

Includes bibliographical references and index.

ISBN 978-1-107-02318-5 (hardback) – ISBN 978-1-107-67031-0 (paperback)

1. United States. Congress. 2. Decision making – Political aspects – United States.

3. Legislation – Political aspects – United States. I. Wilkerson, John D.,  
1939– II. Title.

JK1021.A45 2012

328.73–dc23 2012006879

ISBN 978-1-107-02318-5 Hardback

ISBN 978-1-107-67031-0 Paperback

Cambridge University Press has no responsibility for the persistence or accuracy of URLs for external or third-party Internet Web sites referred to in this publication and does not guarantee that any content on such Web sites is, or will remain, accurate or appropriate.

## Contents

<i>List of Tables and Figures</i>	<i>page</i> vii
<i>Preface</i>	xi
PART I	
1 Congress and the Politics of Problem Solving	3
2 Problem-Focused Voters and Congressional Accountability	19
3 Congressional Approval and Incumbent Accountability	31
PART II	
4 Problem-Solving Constraints and Legislative Institutions	53
5 Agenda Scarcity, Problem Solving, and Temporary Legislation	66
PART III	
6 Rethinking Committee Reform	91
7 Agenda Setting in a Problem-Solving Legislature	116
PART IV	
8 Problem Solving and Policy Focal Points	143
9 Problem Solving and the Dynamics of Policy Change	167
10 Problem Solving and American Politics	197

Cambridge University Press  
978-1-107-02318-5 - Congress and the Politics of Problem Solving  
E. Scott Adler and John D. Wilkerson  
Frontmatter  
[More information](#)

---

vi

*Contents*

<i>Appendix A</i>	211
<i>Appendix B. Assignment of Bills across Issue Types</i>	214
<i>Appendix C. Calculating Committee Roll Rates</i>	216
<i>Bibliography</i>	217
<i>Index</i>	239

## Tables and Figures

### TABLES

2.1	Impact of Congressional Performance on Congressional Job Approval	<i>page</i> 24
2.2	Factors Influencing Congressional Job Approval, 2006	25
2.3	Former Members' Views of the Factors Shaping Constituents' Voting Decisions	29
3.1	Voter Perceptions of Responsibility for Congressional Performance	35
3.2	The Impact of Congressional Approval on Incumbent Support at the Individual Voter Level, 1980–2004	38
3.3	The Impact of Congressional Approval on House Incumbent District Vote Share, 1974–2010	42
3.4	The Impact of Congressional Approval on House Incumbent District Vote Share under Divided and Unified Governments, 1974–2010	43
3.5	The Impact of Congressional Approval on House Incumbent Reelection Rates, 1974–2010	46
3.6	The Impact of Congressional Approval on Retirement Decisions in the House, 1974–2010	49
5.1	Equilibrium Conditions for the Problem-Solving Game	78
6.1	List of House Committee Jurisdictional Changes Examined	96
6.2	List of Control Cases (Stable House Committee Jurisdictions)	97
6.3	The Comparative “Expertise” of Committees Gaining Transferred and New Jurisdictions, 1965–1972	104

Cambridge University Press  
 978-1-107-02318-5 - Congress and the Politics of Problem Solving  
 E. Scott Adler and John D. Wilkerson  
 Frontmatter  
[More information](#)

viii

*List of Tables and Figures*

6.4	Committee of Jurisdiction “Expertise” for Stable Jurisdictions, 1965–1972	105
6.5	Does Prereform Committee Competition (Herfindahl Scores) Motivate Jurisdictional Transfers? 1965–1972	106
6.6	Are Transferred Jurisdictions Awarded to Committees with Disproportionate Constituency Interests?	108
6.7	Are Transferred Jurisdictions Awarded to Committees Expressing Disproportionate Interest?	109
6.8	Testing Alternative Explanations for Postreform Bill Referrals	111
6.9	Extreme-Bounds Analysis of Alternative Explanations for Postreform Bill Referrals	112
7.1	Predictors of Bill Success by Type of Legislation	132
7.2	Roll Rates on the House Floor	137
7.3	Committee Positions Tend to Prevail over Majority Party Positions	137
7.4	Factors Influencing Whether a Committee Is Rolled on the Floor	138
8.1	List of Issue Areas Examined (Policy Agendas Project Subtopics)	150
8.2	List of Independent Variables Used in Issue Attention and Policy Change Analyses	154
8.3	Example of House Majority Party Agenda, Using Speaker Statements and First Ten Bills, 106th Congress (1999–2000)	156
8.4	Predictors of Legislative Issue Attention (Bill Introductions)	160
8.5	Summary of Models Predicting Legislative Issue Attention (Bill Introductions)	162
9.1	Top Ten Statutes by <i>Congressional Quarterly Almanac</i> Coverage in Issue Areas Examined	174
9.2	Replication of Maltzman and Shipan’s Analysis of Historic Amendments to Historic Enactments, 1977–2004	178
9.3	Predictors of First Significant Amendments to Historic Enactments (Threshold of Significance = Top One-Third of All <i>Congressional Quarterly</i> Coverage)	179
9.4	Predictors of Less Significant First Amendments to Historic Enactments (Threshold of Significance = <i>Congressional Quarterly</i> Coverage or Any Amendment)	180
9.5	Models Predicting Policy Change (Count Variable [zinb])	184
9.6	Summary of Models Predicting Policy Change (Count Variable [zinb])	187
9.7	Models Predicting Policy Change (Continuous Variable [OLS with PCSE])	190



Cambridge University Press  
 978-1-107-02318-5 - Congress and the Politics of Problem Solving  
 E. Scott Adler and John D. Wilkerson  
 Frontmatter  
[More information](#)

*List of Tables and Figures* ix

9.8 Summary of Models Predicting Policy Change (Continuous Variable [OLS with PCSE])	192
A.1 The Impact of Congressional Approval on Incumbent Support at the Individual Voter Level (including Incumbent Approval), 1980–2004	212
A.2 The Impact of Congressional Approval on Incumbent Approval, 1980–2004	213

FIGURES

1.1 Walker's Typology of Problems and Agenda Items	10
1.2 Bipartisan Voting Behavior on House Final Passage Votes, 1953–2004	12
3.1 Trends in Job Approval for Congressional Democrats and Republicans	34
3.2 Effect of Congressional Approval for House Incumbent Vote Share under Unified versus Divided Government	44
3.3 Effect of Congressional Approval on the Probability of Incumbent Victory, 1974–2010	46
3.4 Effect of Congressional Approval on the Prevalence of Open Seats, 1974–2010	47
5.1 The Problem-Solving Dilemma	77
5.2 Attention to Recurring Legislative Matters at Different Stages of the Legislative Process, 101st–104th Congresses	83
6.1 Do Prereform Bill Referrals Predict Postreform Jurisdictional Assignments?	99
6.2 Impact of the Bolling-Hansen Reforms on Jurisdictional Disorganization (Entropy)	114
7.1 A Typology of Congressional Bills	121
7.2 The Composition of the House Agenda at Different Stages of the Legislative Process	124
7.3 Staff Perceptions of Committee versus Party Influence for Different Types of Legislation	125
7.4 Characteristics of Successful Sponsors by Type of Legislation	130
8.1 Effects of Key Predictors of Legislative Issue Attention (Bill Introductions)	164
9.1 The Effects of "Historic" Amendments to Historic Laws	172
9.2 <i>Congressional Quarterly Almanac</i> Coverage of Amending Laws to Historic (Mayhew) Laws	175

Cambridge University Press  
978-1-107-02318-5 - Congress and the Politics of Problem Solving  
E. Scott Adler and John D. Wilkerson  
Frontmatter  
[More information](#)

---

x

*List of Tables and Figures*

9.3	Lines of <i>Congressional Quarterly Almanac</i> Coverage of Highways Enactments, 1983–1999	182
9.4	Effects of Key Predictors of Policy Change (OLS with PCSE)	193
10.1	Floor Consideration of Recurring Issues Tends to Be Less Partisan	206

Cambridge University Press  
978-1-107-02318-5 - Congress and the Politics of Problem Solving  
E. Scott Adler and John D. Wilkerson  
Frontmatter  
[More information](#)

---

## Preface

In this book, we offer a perspective on U.S. lawmaking that draws on long-term, large-scale patterns and developments in Congress. After gathering and analyzing information regarding thousands of proposed, enacted, and failed legislative proposals we came to a singular conclusion – contemporary legislative studies seem to be overlooking key aspects of what legislatures do. These studies tend to have a common theme – the institution no longer functions. The proffered causes are numerous – a politically polarized citizenry, ideologically rigid lawmakers, party strategy, increased electoral competition, campaign finance, economic inequality, etc. Certainly, we recognized the conflict and divisiveness that other studies emphasize. But our data also pointed to additional dynamics that were receiving much less attention. In particular, the issue area seemed to matter – a great deal.

Congress often surprises. The 111th Congress (2009–10) was frequently described as the most polarized of the last century – the epitome of a dysfunctional Congress. Yet, it ultimately turned out to be one of the most productive as well. How can this happen? Our answer highlights the question of how certain issues end up on the legislative agenda. Examining congressional agendas and policy change across many years, we find that policy making is often spurred by problem solving. Issues become the subject of new legislation for reasons that have less to do with party or lawmaker priorities, and more to do with events in society and established lawmaking routines that encourage policy updating. Lawmakers have electoral incentives to be responsive to such problems because most voters care as much (if not more) about *whether* problems are addressed as they do about *how* those problems are addressed.

Cambridge University Press  
978-1-107-02318-5 - Congress and the Politics of Problem Solving  
E. Scott Adler and John D. Wilkerson  
Frontmatter  
[More information](#)

A problem-solving perspective not only portends that Congress will be more productive than many contemporary perspectives suggest, but it also anticipates why. When we systematically examine the legislative agenda and policy change, we find that congressional politics revolves in large part around problem solving. Even when dysfunction seems to be at its peak, problem-solving motivations still give lawmakers reasons to search for common ground. The pages that follow explain the principles of our problem-solving perspective and how this approach reveals new insights about Congress's organization, operations, and output.

Over the many years it has taken us to complete this project (more years than we wish to recall), we have racked up quite a few debts of gratitude. Perhaps the best place to start is at the beginning: without sizable financial support from the National Science Foundation (NSF 00880066; 00880061; 9320922; 0111611), the Congressional Bills Project – which played a key role in formulating our thinking – would not exist. Additionally, grants from the University of Colorado Department of Political Science Legacy Fund, the University of Colorado Undergraduate Research Opportunities Program, and a Government of Spain External Investigator Award (to Wilkerson) provided further financial assistance throughout the project. The views expressed in this book are solely those of the authors, who also bear full responsibility for any errors, omissions, and gaffes it may contain.

As well, our home institutions provided productive environments, exceptional colleagues, talented students, and picturesque surroundings to keep us on track toward the book's completion. At the University of Washington, T. Jens Feeley deserves special recognition for getting the Congressional Bills Project up and running. Jens's dissertation research also provided inspiration for important ideas developed further in this book. In addition, Loren Collingwood, Ashley Jochim, Barry Pump, and Stephen Purpura provided exceptional research assistance along the way. We are also indebted to a long list of CAPPP Undergraduate Fellows for their essential collective contributions to the data used in this book, including Sean Freeder, who made an important research contribution that we reference in Chapter 9. Finally, Peter May was always willing to provide prompt (and encouraging) feedback on drafts.

The Bills Project crew at the University of Colorado included three lead research assistants: Dennis Still, Gregory Young, and Michael Berry. Under their guidance were several undergraduate and graduate students who provided invaluable assistance in the data collection: Amy Budner, Jeanette Bustamante, Rebecca Carr, Keith Edwards, Laurel Harbridge,

Cambridge University Press  
978-1-107-02318-5 - Congress and the Politics of Problem Solving  
E. Scott Adler and John D. Wilkerson  
Frontmatter  
[More information](#)

*Preface*

xiii

Jarrold Hayes, Inayah Hays, Jeff Howland, Thomas McFarland, Reyna Perez-Oquendo, Brittany Perry, Christa Watson, and Cheryl Williams. In many instances these students got more out of this project than just a paycheck. Independent research projects by Berry, Bustamante, Edwards, Harbridge, and Perry are included in our study in various ways. Additionally, a number of graduate students endured numerous hours of discussion both in and out of the classroom that helped to hone our thinking and analysis. Among them were Michael Berry, David Doherty, Sarah Hagedorn, Bill Jaeger, Josh Kennedy, Jeff Lyons, Josh Ryan, and Scott Minkoff. Finally, colleagues at the University of Colorado, both current and former, tolerated a seemingly endless barrage of questions and provided cheerful answers and critiques over the course of many years. These (unfortunate souls) include Ken Bickers, David Leblang, John McIver, Anand Sokhey, and Jennifer Wolak.

Thanks to the generosity of Yale University and Alan Gerber, Adler was able to spend a year at the Center for the Study of American Politics. This time and intellectual community allowed us to take stock of what the Bills Project was telling us. Among the outstanding scholars at Yale who gave so generously of their time and insights were Alan Gerber, Justin Fox, Don Green, Jacob Hacker, Greg Huber, Matt Levendusky, and David Mayhew.

We were also fortunate to present various iterations of our work at a number of excellent institutions including Columbia University; Fordham University; New York University; Sciences-Po (Paris); SUNY–Stony Brook; and the universities of Aarhus, Bordeaux, Barcelona, Chicago (Harris School of Public Policy), Essex, Notre Dame, Pennsylvania, Pittsburgh, and Virginia, as well as several talks at our home universities. During these visits, at conferences, and individually, many scholars helped to improve the manuscript, including Scott Basinger, Christopher Berry, Sarah Binder, Laura Chaques, Jeff Cohen, Olivier Costa, Larry Evans, Avi Feller, Richard Fleisher, Gerald Gamm, Sandy Gordon, Christopher Green-Pederson, John Griffin, Emiliano Grossman, Thad Hall, Will Howell, Jeff Jenkins, Kris Kantak, George Krause, John Lapinski, Rene Lindstadt, Forrest Maltzman, Nolan McCarty, Becky Morton, Nate Monroe, Costas Panagopoulos, Kathryn Pearson, Wendy Schiller, Chuck Shipan, Boris Shor, David Skaggs, Tracy Sulkin, Rob Van Houweling, Jennifer Victor, Craig Volden, Greg Wawro, Alan Wiseman, Christina Wolbrecht, and Jonathan Woon.

As the manuscript came together, we had two opportunities to present the entire manuscript to captive audiences. The first workshop took

place at the University of Texas, at the invitation of Bryan Jones and Sean Theriault, and included Scott Ainsworth (who also read the manuscript a second time), Jon Bond, Sam Workman, and several of their graduate students and UT colleagues. The second workshop was orchestrated by David Rohde for his Political Institutions and Public Choice (PIPC) Book Seminar at Duke University. In addition to Rohde, we were the beneficiaries of extensive comments by Frank Baumgartner, Jason Roberts, Sarah Treul, Frank Orlando, David Sparks, Aaron King, and Robi Ragan (who provided very helpful suggestions for the model in Chapter 5). The extensive suggestions and criticism we received in both instances came at precisely the right moment, and we are deeply grateful for these opportunities.

At Cambridge University Press, Lew Bateman believed in and supported our vision for this project. Lew ably guided the manuscript through the publication process, along with the assistance of Mark Fox, Shari Chappell, Christine Dunn, and Fred Goykhman.

Two scholars deserve special thanks. Michael Ensley and Gilad Wilkenfeld are listed as coauthors of two chapters (Chapter 3 and Chapter 9, respectively). Both also provided additional assistance and valuable feedback on other portions of the manuscript. Their efforts, skills, and patience played a very sizable role in bringing this project to completion.

An earlier version of Chapter 6 appeared as “Intended Consequences: Jurisdictional Reform and Issue Control in the U.S. House of Representatives,” 2008 *Legislative Studies Quarterly* 33: 85–112. We thank *Legislative Studies Quarterly* for allowing us to use a modified version of the study for this book.

Finally, we are indebted to our families most of all. John thanks Barbara, Christopher, and Sean, who matter more than any book, and who undoubtedly wondered whether all of those hours John spent working on his laptop would ever lead to anything. Scott is indebted to Rose, Anna, and Pam for their cheerful support and loving encouragement. Yes, *now* it's done!