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Introduction

In 1985 and 1986, Congress undertook the largest reform of the U.S. tax code since World War II. The goal of the reformers, particularly President Ronald Reagan, was to reduce personal income tax rates by raising corporate tax rates and closing most loopholes for wealthy individuals and businesses (Birnbaum and Murray 1987, p. 22). One of the key players in that process was former Representative Dan Rostenkowski of Chicago, chair of the House Ways and Means Committee. To pass the legislation in the committee required both political skill and resources, and his were considerable. The *New York Times* described how he did it:

> On a Friday morning in November . . . , hours before the Ways and Means Committee was to vote . . . , Mr. Rostenkowski sat with a list in the committee's library and began calling other members to tell them of special tax breaks he had sneaked into the bill just for them. They included favorable tax treatment for stadiums in Cleveland, Miami and the Meadowlands in New Jersey, for waste-treatment plants in New York City and on Long Island, for a convention center in Miami, for parking garages in Memphis and Charleston, S. C., for St. Luke's Hospital and New York University in Manhattan, and, not surprisingly, for a savings and loan association in Chicago. Members who planned to vote against the bill got nothing for their districts. (Rosenbaum 1994)

Rostenkowski's horse trading is part of the tradition commonly known as pork barrel politics. It is a phenomenon with a long and widely despised history in the lore of politics. Yet the *New York Times* article that described the congressman's strategy in a manner that invited the reader's disapproval also noted its richest irony: By giving out a few new tax breaks, euphemistically called "transition rules," to key representatives, Rostenkowski played a central role in passing a broad reform of the tax

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code that "struck at the nerve of the nation's most powerful lobbyists and special interests and . . . was widely applauded by many of the same advocates of clean government who found Mr. Rostenkowski's methods so objectionable" (Rosenbaum 1994).

The irony is this: pork barreling, despite its much maligned status, gets things done. Simply put, that is the overriding thesis of this book. To be sure, it is a practice that succeeds at a cost, but it is a cost that many political leaders are willing to pay in order to enact the broader public policies that they favor. The pages that follow explore the complexities and subtleties of what pork barreling political leaders accomplish and how they do it, but the arguments are at heart an elaboration of this theme: Pork barrel benefits are used strategically by policy coalition leaders to build the majority coalitions necessary to pass broad-based, general interest legislation. Leaders do so by tacking a set of targeted district benefits onto such bills, using the benefits as a sort of currency to purchase legislators' votes for the leaders' policy preferences, much as political action committees make campaign contributions in the hope of swaying members' votes. In so doing, policy coalition leaders may even overcome the strictures of party loyalty, using pork to lure members of the other party away from their own leadership. The irony of this coalition-building strategy is that pork barrel legislation, the most reviled of Congress's legislative products, is used by coalition leaders to produce the type of policy that is most admired: general interest legislation.

Pork barreling is not the only way in which leaders create majority coalitions for general interest bills, but, especially in certain policy areas, it is an important one. This book explores the strategies by which leaders use pork barrel benefits to form majority coalitions and analyzes the impact of these strategies on the decisions of the legislators who receive the benefits. Additionally, to see how the process operates in the real world, the book examines the use of pork barrel benefits to pass a number of major pieces of legislation, including highway bills, the North American Free Trade Agreement (NAFTA), and an array of appropriations bills. The case studies include bills in both the House of Representative and the Senate during years of both Democratic and Republican control.

The pork barrel is a popular metaphor for projects and favors for legislators' districts. Although the origin of the term is somewhat murky, it probably derives from the pre–Civil War South, when on holidays slave owners set out barrels of salt pork for their slaves, who were frequently undernourished. The resulting frantic rush for the barrel inspired the unflattering popular image of much better-fed politicians grabbing benefits

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for their constituents with the fervor of starving slaves scrambling for food. The term was used in Congress as early as the 1870s to describe legislation containing projects for members' districts (Ashworth 1981; Safire 1988). Seen in this light, descriptions of pork barrel politics typically are overlaid with moral opprobrium.

The pejorative term "pork barrel politics" is frequently replaced in the scholarly literature by the more neutral term "distributive politics," which refers to the process by which distributive policy is made. Definitions of the latter vary somewhat, but the following is satisfactory for our purposes: Distributive policy targets discrete benefits to specific populations such as states and congressional districts but spreads the costs across the general population through taxation. Such benefits have so little policy connection to each other that changing or even removing one district's benefit from a bill would have no impact on the benefits given to other districts (Shepsle and Weingast 1981, p. 96), although it might diminish the bill's prospects of passage by reducing its supporting coalition. Packages of such benefits, according to Theodore Lowi, "are characterized by the ease with which they can be disaggregated and dispensed unit by small unit more or less in isolation from other units and from any general rule" (Lowi 1964, p. 690).

The scholarly literature on distributive politics focuses on omnibus pork barrel bills, legislation that consists of nothing but distributive projects. By contrast, this book focuses on the use of distributive benefits to win votes for general interest legislation, defined here as broad-based measures that affect the whole nation or a large segment of it. General interest legislation need not, by this definition, fall evenly on all districts or individuals; all that is necessary is that it affect all districts or all of those in a broad category. Nor does this definition imply that general interest legislation is in the "public interest." Losers might well outnumber winners, or the total costs might be greater than the total benefits. All I mean is that such legislation provides a collective benefit, defined as a "good, such that if any person . . . in a group . . . consumes it, it cannot feasibly be withheld from the others in that group" (Olson 1965, p. 14). The "group" in this case extends far beyond individual congressional districts. The argument of this book is that distributive benefits are added to general interest bills as "sweeteners" to buy the votes of enough members to create a majority coalition in favor of such bills.

The two terms, "distributive" and " pork barrel," will be used interchangeably here, despite the fact that some scholars do not treat them as synonymous. Rather, they define pork barrel policy as that subset of

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distributive policy that is inefficient, where the costs of the policy exceed the benefits (Ferejohn 1974, p. 235; Shepsle and Weingast 1981; Baron 1991). However, I do not employ that distinction here, where the point is to explicate the political uses of distributive politics in policy making, not its economic implications. The efficiency or inefficiency of a policy, while economically important, is rarely central to decisions in Congress about whether to request or provide benefits. More important, although some members of Congress routinely oppose distributive policy because of its presumed inefficiency, most members ignore the distinction in practice, as the case studies in this book show. Their incentive to do so stems in part from the fact that project costs in the form of money spent in a member's district can be reinterpreted politically as benefits to the district. As those costs are shared nationally by all taxpayers (Shepsle and Weingast 1981), a legislator normally has little reason to care about the economic efficiency of his or her own project or of any bill that contains it (Weingast, Shepsle, and Johnsen 1981). Furthermore, the readiness with which federal agencies claim that a project's benefits equal or exceed its costs highlights the practical difficulties of making judgments about project efficiency in any case (Maass 1951).

Pork barrel or distributive policy dates from the earliest years of the Republic. In the eighteenth and nineteenth centuries, Congress's distributive policies consisted mainly of projects of physical improvement such as lighthouses, roads and canals, dams and harbors; the classic source of those benefits was rivers and harbors legislation. The purpose of such projects was described in 1888 by James Bryce, who wrote that "grants from the federal treasury for local purposes" were routinely employed by members of Congress seeking to secure their renominations (Bryce 1959, p. 40). Today distributive benefits are found in nearly all policy areas, especially in appropriations bills, where targeted funding is granted for a broad range of purposes, including highway interchanges, supercomputers for universities, detention centers for illegal immigrants, and studies of agricultural pests, such as fire ants.

However, with the advent of the environmental movement, some of the more traditional types of pork barrel projects, such as dams and river and harbor dredging, have aroused considerable public opposition for their negative environmental impact. More broadly, John Ferejohn (1974, pp. 52–54) shows that district projects can impose local costs in addition to offering benefits. In those cases, the emergence of opposition depends on whether the costs are concentrated, falling on those who may already be organized and thus capable of quick action, or dispersed,

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falling on those who are less likely to be organized. If river navigation is improved for barges by dredging, other commercial interests, such as trucking, consequently may lose business, producing winners who will support and losers who will oppose a district project. Similarly, dams destroy upstream wildlife habitat, stimulating opposition from environmental groups. Congress has adapted, responding to such opposition with what has been called "post industrial" pork, which includes money for such things as environmental cleanup projects and university research, otherwise known as academic pork (Starobin 1987; Savage 1999).

Clearly, pork barrel politics occurs because members of Congress believe that district benefits enhance their chances for reelection. In studies of distributive politics, the electoral connection is axiomatic. In his study of Congress's allocation of water projects, Ferejohn speculates that there are three reasons why such projects are valuable to members. All of those reasons are related either directly or indirectly to reelection. First, members believe that bringing home projects gives them a record of constituency service on which they can campaign. A second and related benefit is that assiduous attention to constituents can help to create an impression of invulnerability, redirecting to more opportune targets the ambitions of high-quality potential election challengers. Third, like old-time machine politicians, members of Congress can buy with projects the freedom to do as they wish, or as their party leadership wishes, on issues of more importance to them on Capitol Hill (Ferejohn 1974, pp. 49–51). In other words, they can buy leeway for their activities in Congress (Fenno 1978) with the credit that pork barrel service earns for them with constituents.

In mass media accounts of pork barrel politics, the tone is typically critical, with an emphasis on the self-serving aspects of "bringing home the bacon." Journalist Brian Kelly quoted a White House aide's cynical comment: "If you're a congressman and you want to get reelected – and you do because it's a pretty great job despite all the whining you hear from them – then you give things to the people who can vote for you. In return they keep electing you. The hell with what it means for the rest of the country" (Kelly 1992, p. 6). The electoral benefits of pork may be concentrated or dispersed within the constituency. When organized interests or businesses benefit, as they do, for example, when the project entails highway construction contracts, the benefits can be said to be concentrated. When benefits go (perhaps simultaneously) to a large group of unorganized constituents, as would a new highway interchange that relieves downtown congestion, the benefits are dispersed. In either case, members of Congress

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expect to profit electorally. Where benefits are dispersed, they expect to be rewarded with the votes of grateful constituents. When benefits are concentrated, they may receive a smaller direct electoral reward but gain substantial campaign contributions, which, incumbents hope, eventually can be parlayed into votes.

The following sections present views of pork barrel or distributive politics as seen from quite different perspectives. First, the journalistic view is the most familiar to political observers; it is a largely negative view of pork barrel politics. While the journalistic perspective provides insight into the distribution of pork barrel projects, it generally fails to place the use of such projects in a broader strategic context. In particular, journalists typically overlook the utility of pork barrel benefits for crafting broad-based legislation. Second, in the realm of scholarship, I examine important literature on the theory of distributive politics, as well as literature that deals with how Congress passes general interest bills and how that literature treats pork barrel politics. I argue that this literature also fails to recognize fully the use of pork barrel benefits for passing general interest legislation.

THE JOURNALISTIC VIEW OF PORK BARREL POLITICS

Journalistic reports of the impact of pork barrel politics suggest that bringing large amounts of money home to the district can indeed protect members of Congress. Well known in the 1970s was Pennsylvania's Eleventh Congressional District, an impoverished coal-mining area whose citizens showed their gratitude to the colorful Representative Daniel Flood by reelecting him after his indictment on various bribery and corruption charges. Flood was beloved not only for his theatrical style, but also for the millions of dollars in benefits that he funneled to the district as vice chairman of the Defense Appropriations Subcommittee. After pleading guilty to reduced charges, Flood left Congress in 1980 (Kelly 1992, pp. 72–74).

Next door in Pennsylvania's Tenth District, Joseph McDade's constituents similarly benefited from his position on the Appropriations Committee. The Greater Scranton Chamber of Commerce estimated in 1992 that federally financed projects valued at $420 million were currently under construction in the district, nearly all of them due in large part to McDade's efforts. In 1992, he too was indicted, in this case on five counts of bribery, racketeering, and other corruption charges, including allowing his son to accept $7,500 in tuition money from a defense contractor.

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Like the voters of the Eleventh District, McDade's constituents gave him the benefit of the doubt, reelecting him twice by large margins during his unsuccessful legal challenges to the indictment. As the mayor of Scranton said about the tuition payments, "Maybe Joe didn't know his son was getting a scholarship" (Hinds 1992). When he was finally acquitted of all charges during his 1996 reelection campaign, his constituents reelected him again; he retired in 1998.

Brian Kelly's *Adventures in Porkland* (1992) offers a number of examples of what the author considers pork barrel profligacy. He traces, among other things, the battle over an item in an agriculture appropriations bill that earmarked $500,000 to make a memorial of Lawrence Welk's childhood home in Strasburg, North Dakota. The effort to remove that item from the budget was one of the few successful attacks on hundreds of pork barrel projects in appropriations bills in 1991. However, a project that survived the winnowing process was Senator Ted Stevens's (R-Alaska) $25 million supercomputer for the University of Alaska. On paper, this was an unremarkable if expensive example of the increasingly common practice of earmarking money for scientific research for specific universities. Kelly notes that this project, part of Senator Stevens's plan to harness the solar energy that creates the aurora borealis, evidently, if surprisingly, passed the "laugh test" that a source told Kelly was being applied to appropriations project requests that year; that is, projects that "sounded just too downright stupid for words [were] going to get cut out" (Kelly 1992, pp. 206–207). Despite passing that test, Stevens's project evidently was the object of some skepticism: "One. . . . physicist noted that to collect the energy would require an antenna stretching from Mount McKinley to Mount Fuji, and then it would power nothing more than a microwave oven" (Savage 1999, p. 172).

The obvious appeal of distributive politics notwithstanding, Congress has long had its anti-pork crusaders. A group composed of members of Congress and representatives of nonprofit taxpayer groups attempted to purge the 1991 appropriations bills of what they considered the most egregious examples of pork. Led by Representatives Tim Penny (D-Minn.) and Harris Fawell (R-Ill.), this group called themselves the "Porkbusters." They introduced legislation in 1991 to cut 325 projects worth $1 billion from that year's appropriations bills (Kelly 1992, p. 56). Despite their best efforts, hundreds of the projects that they tried to kill survived, and a number of Porkbusters were embarrassed on the floor by Appropriations Committee members, who pointed out that the sponsors themselves had benefited from the committee's largesse in the past. Nevertheless,

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the group continued to introduce legislation to remove large numbers of projects from spending bills. Perhaps not surprisingly, it enjoyed only modest success (Pound 1994; "Who Ya Gonna Call?" 1997).

The Porkbusters worked closely with the nonprofit Citizens Against Government Waste (CAGW), a group formed in the wake of the Reagan administration's Grace Commission (named for its chair, industrialist J. Peter Grace) to seek out government waste. Grace himself went on to become co-founder of CAGW in 1984, along with columnist Jack Anderson. That organization's major activity is to track projects earmarked for states and congressional districts in annual appropriations bills and publicize them at a press conference held jointly each year with members of Porkbusters. In an effort to attract maximum coverage, the press briefing is clearly designed as theater:

> Rep. David Minge, D-Minn., co-chairman of the House's self-proclaimed Porkbuster Coalition, joined other budget hawks at a news conference, where they were flanked by a pig eating novelty dollar bills and a person in a pink pig suit. The Citizens Against Government Waste put out the "2000 Congressional Pig Book," which lists members of Congress who secured funding for more than 4,000 home-state "pork" projects worth $17.7 billion. ("Minnesota Ranks Near the Bottom" 2000)

Despite Congress's continued enthusiasm for distributive benefits, press accounts of the 1994 congressional elections suggested that there may be a limit to the degree to which pork barrel projects can inoculate incumbents against electoral defeat. In those elections, thirty-five Democratic House incumbents were defeated by Republican challengers. If that year was remarkable for the number of incumbents unseated, it was also noted in the press for the defeat of a number of members who for years had showered their districts with federal benefits. Once considered invulnerable, representatives such as House Speaker Thomas Foley and Texas Democrat Jack Brooks were defeated. In a pre-election visit to Brooks's district, reporter Michael Wines quoted the representative's description of some of the reasons for his forty-two years of electoral success:

> The big Pontiac glided past a local television station ("Helped them with the FCC."); a brief stop at the intracoastal canal in nearby Port Arthur ("I widened it; deepened it."); a pause at the seawall ("Forty, fifty-million dollars").
>
> Later he fired up a cigar and cruised past the site of the new Federal prison ("2,000 jobs, $150 million") and Lamar University at Beaumont, where a cigar-clutching statue honors the 71-year-old Congressman whose labors elevated the school from backwater junior college to four-year university. (Wines 1994)

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But such successes may have played differently with voters in 1994 than in the past; they certainly did not save Jack Brooks. As an analysis in the *New York Times* noted, "Once there was a time when clout and seniority were good. . . . [But] worthwhile local projects are no longer easily distinguishable from simple pork in the minds of many voters. . . ." (Toner 1994).[1]

Notwithstanding the Republicans' loud condemnation of pork barrel politics during the 1994 election campaigns, Republican freshmen in the 104th Congress quickly began to serve their constituencies in the traditional manner. For example, George Nethercutt (R-Wash.), who unseated Speaker Thomas S. Foley by depicting him as a pork barrel politician, quickly became a strong advocate of farm subsidies in his agricultural district once in office (Wines 1995). Additionally, a *New York Times* tally of 1995 awards of highway and urban mass transit projects by the House Appropriations Committee's transportation subcommittee shows that Republicans and Democrats alike received projects, but members of the congressional majority, the Republicans, received considerably more than the Democrats (Wines 1995), despite the party's denunciation of pork barrel politics in the 1994 election campaign.

By the fall of election year 2000, the *Los Angeles Times* reported that things were back to normal:

> . . . the more aggressive Republican approach has been to provide vulnerable incumbents opportunities to address their districts' local concerns. And that, in turn, has meant that year-end appropriation bills are laden with local projects. "You can't point to a single vulnerable incumbent who hasn't been taken care of in the appropriations process," boasts Tony Rudy, deputy chief of staff to House Majority Whip Tom DeLay (R-Texas). "Since Day One, we've asked our vulnerable members what they need and how we can help them get it. These guys don't have to run a one-size-fits-all race." (Hook 2000)

The kind of pork barrel politics that is the focus of this book – trading projects for members' votes for broad public policy – is characterized in the media as negatively as any other pork barrel deal. For example,

[1] For members of Congress devoted to this vote-winning strategy, a cautionary note is sounded by a national poll of the voting age population in which respondents indicated that the most important aspects of the job of a member of Congress was to pass laws on important national problems and to help people with the bureaucracy. Bringing money or projects to the district was last on the list. Moreover, a majority of that survey's respondents said that they would prefer for their representatives to help to reduce the deficit by not bringing benefits back to the district, even if other members continue to do so (Hibbing and Theiss-Morse 1995). The academic literature that addresses the priority that voters give to pork barrel benefits is addressed more fully in the next chapter.

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President Clinton received a considerable amount of bad press for buying the votes of members of the House of Representatives for the North American Free Trade Agreement (NAFTA). As one account described that effort, ". . . the vote on NAFTA last month came down to old-fashioned bribery" (Anderson and Silverstein 1993, p. 752).

Nevertheless, a description of former Public Works and Transportation Committee Chair Robert Roe's generosity to his colleagues reveals the benefits in terms of personal power: "The bills that went before his subcommittee were his personal handiwork, and drew votes from legions of members owing him a personal debt" (Davis 1987, p. 2594). This and similar accounts typically leave the impression that although it may be legal, such vote buying is corrupt and immoral, as legislators sell out the national interest for something as trivial as a highway or, in the case of NAFTA, favorable treatment for their district's farmers, such as broomcorn growers and tomato farmers.

However, there is some recognition that, as this book argues, such spending can help speed the passage of legislation of national importance: "Pork has . . . come to play a role in passing major bills with sweeping national impact. . . . As part of such deal making, those trying to pass a given bill will sweeten it by adding dozens and sometimes hundreds of items of interest to individual members" (Kelly 1992, p. 11). And "when applied with skill, pork can act as a lubricant to smooth passage of complex legislation"; "perhaps the most time-honored rule of pork-barreling is that any member getting a project is duty bound to support the rest of the bill" (Starobin 1987, p. 2583 and 2587).

The New Republic, almost alone among journalistic publications, recognized the strategic use of pork and went so far as to praise it as a tool for creating majority coalitions:

> Even if every single pork barrel project really were a complete waste of federal money, pork still represents a very cheap way to keep our sputtering legislative process from grinding to a halt. In effect, pork is like putting oil in your car engine: it lubricates the parts and keeps friction to a minimum. This is particularly true when you are talking about controversial measures. (Cohn 1998, p. 23)

Similarly, Ellwood and Patashnik (1993), themselves academics, writing in *Public Interest*, praised the practice, arguing that it allows legislators to take risky actions for the public good and protect themselves from electoral retaliation. Yet none of these authors systematically examines how pork is used to gain votes or the effectiveness of this strategy for passing

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