

“President Clinton and the Republican Congress, 1995-2000:
Political and Policy Dimensions of Veto Politics in Divided Government”*

Richard S. Conley
Assistant Professor
Department of Political Science
University of Florida
234 Anderson Hall
P.O. Box 117325
Gainesville, FL 32611
(352) 392-0262 x 297
rconley@polisci.ufl.edu

* A version of this paper was delivered at the Annual Meeting of the American Political Science Association, August 30-September 2, 2001, San Francisco, CA. Author thanks George C. Edwards III, Bert Rockman, and Roger Davidson, as well as the anonymous reviewers of *Congress and the Presidency* for helpful comments.

“President Clinton and the Republican Congress, 1995-2000:
Political and Policy Dimensions of Veto Politics in Divided Government”

ABSTRACT

This article melds alternative theoretical perspectives on veto threats to explain Clinton’s influence over legislative outcomes in the 104th-106th Congresses (1995-2000). Formal models of executive-legislative relations—in particular the “coordination model”—yield an incomplete understanding of veto politics and executive-legislative conflict from 1995-2000. Explaining Clinton’s success through veto politics requires a recognition of the unique context of legislative conflict from 1995-96. Presidential-congressional relations in the 104th Congress turned on “blame-game” politics that Clinton manipulated to his advantage. Clinton’s second term heralded a return to “normal politics” during which the Republican majority’s response to his veto threats coincided better with the basic tenets of the coordination model. Quantitative analysis of Clinton’s public threats and secondary analysis of bill histories are brought to bear to test the theoretical framework.

President William Jefferson Clinton did not set out to master Congress by the explicit or implicit use of the veto power. He cast not a single veto in the 103rd Congress (1993-94). However, the dramatic return of divided government following the elections of 1994, and Republicans' continued control of both chambers of Congress through the end of his second term, forced the president to adapt his legislative presidency to a radically altered political context. Clinton vetoed thirty-five bills (excluding pocket vetoes and line-item vetoes) from 1995-2000. Republican leaders challenged eleven of the thirty-five vetoes in one or the other chamber but managed to override the president only once. Further, Clinton relied on the *implied* use of the veto—veto threats—on over 140 bills, and he was generally successful in halting the Republicans' agenda or wresting policy concessions from the majority leadership.

Clinton's management of legislative outcomes through the veto power raises several important empirical and theoretical questions for scholars of the legislative presidency. First, which structural factors enabled Clinton to wield the veto power with such success, and how were those factors unique from a comparative, historical perspective? Second, how well do extant formal models of presidential-congressional relations account for Clinton's successful use of the veto power and legislative outcomes?

This article argues for a more refined conceptualization of presidential success relative to the veto power by incorporating the political dimensions of "blame-game" politics (Groseclose and McCarty 2001) between the branches. The objective is to demonstrate Clinton's ability to manipulate "strategic disagreement" (Gilmour 1995) with the GOP majority in Congress from 1995-96 and address the implications for formal models of inter-branch bargaining. The "coordination" model, with a focus on spatial analysis of policy positions between the branches, yields an incomplete understanding of veto politics and executive-legislative conflict from 1995-

2000. While Cameron (2000) makes the case that blame-game politics are anomalous for the period he studies,¹ such a contention does not fit the context of presidential-congressional relations in the 104th Congress particularly well. While neither the GOP congressional majority nor Clinton necessarily set out to engage in high-stakes, blame-game politics, political considerations—particularly electoral motivations—pushed both sides toward such a strategy when budget negotiations produced stalemate. The unique context of executive-legislative conflict from 1995-96, I argue, laid the groundwork for a return to “normal” modes of bargaining in Clinton’s second term which comport better with the assumptions of the coordination model.

The analysis is organized in four parts. The first section places Clinton’s legislative presidency into comparative context to accentuate how voting coalitions in Congress buttressed the foundation for a successful veto strategy. The second section briefly reviews the tenets and shortcomings of formal models in the evaluation of veto threats and legislative outcomes, and elaborates the conditions under which blame-game scenarios between the president and the congressional majority are likely to materialize. The third section presents a twin-pronged empirical analysis of Clinton’s veto threats that melds quantitative and qualitative approaches. Using the entire body of Clinton’s public veto threats for legislation that passed *and* failed, legislative outcomes are systematically arrayed along the president’s preference continuum under blame-game and coordination model scenarios. Secondary, qualitative analysis of select bill histories confirms the utility of a multiple perspectives approach in modeling veto politics from 1995-2000. The concluding section offers some final thoughts about veto politics and alternative conceptualizations of presidential success.

CLINTON AND THE REPUBLICAN CONGRESS: VETO THREATS VERSUS COALITION-BUILDING

From a comparative viewpoint, Clinton's strategic position under divided government was unique in several regards. Party-unity voting and a more centralized setting in Congress robbed him of opportunities to forge the cross-party coalitions that were frequent in the "pre-reform" era (pre-1973) for Republican presidents like Eisenhower and even Nixon. In earlier eras moderates in both parties often held the balance of power over legislative outcomes (Bond and Fleisher 1990; 2000).² Presidents who faced an opposition majority in Congress had more opportunities to cobble together cross-party support for their policy positions, prevail on floor votes, and avoid extensive reliance on vetoes and veto threats. At the same time, in an environment of shifting legislative alliances presidents had to worry about successful overrides of their vetoes. This environment provided greater opportunities for presidents to avoid extensive reliance on the veto power.

Clinton's legislative travails are borne out in Figure 1, which shows that cross-party support reached a nadir in 1995 when Republicans supported the president's positions, on average, only 22 percent of the time. Unable to reach across the aisle to build winning coalitions, Clinton's success rate on floor votes from 1995-2000 was among the lowest for presidents who have faced divided government in the post-War era according to *Congressional Quarterly's* yearly tabulations (Congressional Quarterly Almanacs 1995-2000). Clinton opposed over two-thirds of the bills that reached the floor. Democrats stood firmly behind Clinton more than three-quarters of the time across his two terms.

[Figure 1]

The central point of Figure is that the stability of voting coalitions in Congress in the 104th-106th Congresses and the House Republican leadership's tight grip on floor proceedings dashed Clinton's hope of any considerable advances of his preferred agenda carrying over from

the 103rd Congress. But strong partisan support *did* shore up his ability to influence the policy process and policy outcomes, either by halting the GOP agenda with applied vetoes, or redefining available solutions with implied vetoes—threats—as a means of bringing policy outcomes closer to his own preferences. Clinton’s reactionary and sometimes preemptive form of legislative leadership through *veto leverage* must be understood as a strategic response to the particular context of divided government that Clinton confronted. “Often the purpose of a veto threat,” Sinclair (2000, 145) notes, “is not to kill the legislation, but to extract concessions from an opposition majority that has major policy differences with the president but lacks the strength to override his vetoes.”

Party-unity gave Clinton an advantage in the veto power that Harry Truman, the only other post-War Democratic president to face a Republican Congress, sorely lacked. Truman, like Clinton, faced a confident Republican majority following mid-term elections that reversed partisan control of Congress and were widely viewed as discrediting the president’s policies. However, the union of Republicans and southern Democrats (the *conservative coalition*) gave the congressional majority of the 80th Congress a veto-proof policy majority that could trump Truman’s vetoes in a way that was not possible under Clinton’s watch because of Democratic unity (Conley 2000).

Voting alignments in Congress from 1995-2000 would have seemingly forced the Republican majority to take the mere threat of a presidential veto seriously. Narrow seat margins and party-unity voting all but assured that challenges to Clinton’s vetoes would end in failure. But we are left with several empirical puzzles. In the 104th Congress Republican leaders often ignored Clinton’s veto threats. Why did they provoke the president to veto legislation and attempt doomed overrides? Did they believe Clinton was bluffing, or were they playing an

electoral “blame game” rather than a legislative “policy” game after budget negotiations failed? And how did the executive-legislative showdown over the budget in late 1995 and early 1996 persuade the Republican leadership to take a more judicious response to Clinton’s veto threats in his second term? The next section reviews competing theories about presidential veto threats and melds perspectives on “blame-game” and “coordination” models of veto threats to understand Clinton’s strategy and success across his two terms.

MODELING VETOES AND VETO THREATS TO EVALUATE PRESIDENTIAL SUCCESS

Scholars have posited two competing frameworks to account for veto threats’ force of influence: the “commitment” and “coordination” models. The commitment model suggests that the effectiveness of veto threats turns on the president’s public pledges. “The effect of political rhetoric,” Charles Cameron (2000, 196) posits, “is to constrain the speaker so he can’t retreat from his position without paying a steep price.” Reneging on a promise might entail electoral retaliation, sully the president’s reputation in Congress, or cost him in the court of public opinion. George Bush’s 1990 *volte-face* on his “read my lips, no new taxes” promise of the 1988 campaign, and conservatives’ ire in Congress and in the electorate, places into sharp relief the dangers of backtracking on a public veto commitment (see Eastland 1992).

Ingberman and Yao (1991) contend that going public with a commitment to veto legislation also gives presidents some level of proposal power by indicating to Congress which provisions a bill must or must not contain to earn his approval. Bill Clinton utilized just such a type of threat on his health care reform proposal during his 1994 State of the Union Address by pledging to veto any bill that did not guarantee universal coverage (Weekly Compilation of Presidential Documents, 1/25/94, 153). Presidents may also turn to a bluffing strategy and

threaten to veto bills they might otherwise accept to gain a strategic edge over Congress and bring outcomes closer to their preferences (see McCarty 1997).

Despite appealing intuitive elements, the commitment model suffers from several empirical difficulties. The formal model forecasts that presidents will make good on their veto threat unless Congress yields completely to their demands. However, more than half of the threatened bills that passed according to Cameron's (2000) cataloguing of public threats were *not* vetoed when Congress failed to comply fully. Clearly, presidents do not veto all legislation when Congress concedes to some, but not all, of their stipulations. The model also predicts that Congress will successfully override the president's veto, but Congress actually fails to do so fourth-fifths of the time (Cameron 2000, 197).

The Coordination Model

The coordination model is an alternative approach for understanding the impact of public veto threats on inter-branch bargaining. The spatial model assumes that the president and Congress are interested in substantive policy outcomes. The model was developed by Matthews (1989) with the central premise that Congress has incomplete information on which bills the president may prefer to the status quo. Cameron (2000, 181-82) emphasizes that "if the president's veto threat is to have any effect on the legislature, Congress must be somewhat unsure about what policies the president will accept." The supposition is that Congress does not know whether the president is an accommodator, who will accept the majority's ideal point, or whether he is a compromiser with whom the majority must negotiate. If Congress knows that the president will ultimately accept the policies it passes, veto threats have no basis for influence and are simply "cheap talk."

If, however, Congress is uncertain about what the president will accept, legislators will meet the president's demands as far as they deem necessary to circumvent a veto. The key to the power of the president's veto is his "policy reputation" in Congress, which bolsters the sincerity of the threat. Matthews and Cameron argue that the president's rhetoric gives legislators an estimation of his position as an accommodator or a compromiser. In other words the president's public statements indicate to members of Congress how extensively they must revise legislation to meet his approval. The president may choose to object publicly to many more legislative provisions than he actually opposes in order to maximize potential concessions. Alternatively, he may emphatically object to only select language in bills, as Clinton did repeatedly on abortion issues from 1995-2000. The idea is that the president's rhetoric signals important, if imperfect, information to legislative leaders, who will in turn offer the most favorable compromise to accommodate the president's demands and get priority legislation passed.

The advantage of the coordination model, as Cameron (2000) shows, is that it explains executive-legislative compromise better than the commitment model. The model provides a basis for understanding why presidents are typically *not* compelled to actually apply vetoes to threatened legislation. In addition, a structure of stable voting coalitions works in tandem with the assumptions of the coordination model in terms of the president's policy reputation. Intra-party cohesion and narrow party-margins in Congress bolster the president's ability to make good on veto threats if Congress does not comply at least partially with his demands since override attempts will most likely be thwarted. Finally, the model also explains why some veto threats appear ineffectual. Because presidents' public threats naturally convey their preferences with some ambiguity, sometimes legislative leaders underestimate the president's minimal acceptance point and unintentionally provoke a veto.

Shortcomings of the Coordination Model: Electoral Motivations and Blame-Game Politics

It is nevertheless possible that the congressional majority *intentionally* sets out to trigger a presidential veto and/or attempts an abortive override vote to call attention to inter-branch conflict. Similarly, the president may purposefully veto legislation to build a case in the public arena against the congressional majority under divided government. With a focus on substantive aspects of legislation and presidential-congressional negotiation, the coordination model encounters some difficulty with such “blame-game” scenarios.

From the congressional standpoint, the majority’s denial of the president’s objections as articulated through a veto threat is neither a misreading of his policy position nor a loss of credibility in his policy reputation. Rather, in this “position-taking game” the congressional majority perceives some electoral or constituency benefits inhering in either provoking a veto and/or attempting an override that outweighs the potential cost of a probable loss (Conley and Kreppel 2001). Under structural conditions similar to those of the 104th-106th Congresses an examination of passage coalitions on legislation would inform majority leaders that an override following a vote along strict party lines would, in all likelihood, fail. Yet they risk the override anyway because their goal is not to change the legislative outcome, but to blame the president for obstruction of their agenda, garner public sympathy, and posture for the next round of inter-branch negotiations—or the next election. The veto override attempt in this context becomes the pivot point for in the blame-game.

The president may also engage in the blame-game and veto legislation to make a larger point in the public eye. Presidents Ford and Reagan, for example, vetoed budget legislation with bipartisan support to chastise Congress for its spending habits, and they faced successful overrides. Clinton, as will be shown, vetoed what is typically the least controversial of

appropriations bills—legislative appropriations—to gain leverage over Republicans in the 104th Congress. In these cases it is clear that other presidential motivations trumped policy considerations. Blocking legislation or having their vetoes overridden enabled presidents to “have” the issue and build a case against Congress.

Blame-game politics surrounding vetoes and veto threats may be understood as an extreme form of “going public” (Kernell 1997) and are quite important for setting the tone for executive-legislative bargaining during Clinton’s second term. The special nature of spending bills gave the Republican majority in the 104th Congress and the president a particular incentive to pursue what Gilmour (1995) calls “strategic disagreement.” Unlike discretionary domestic policies, appropriations bills comprise a “must-pass” category to keep the federal government in operation. And constitutionally, spending bills must originate in the House of Representatives, where congressional leaders are far more able to control legislative outcomes with restrictive rules compared to their Senate counterparts.

In the 104th Congress GOP leaders attempted to use appropriations bills as leverage against Clinton for the adoption of their agenda—much of which was eventually contained in the budget reconciliation bill. Refusing to modify legislation in the face of Clinton’s veto threats, they provoked vetoes and selectively attempted overrides they knew had no chance of success based on the structure of the bills’ original passage coalition. They hoped to call the president’s bluff by forcing a government shutdown and forging a public backlash against him after negotiations failed.

While it may be argued that the GOP leadership was playing a “multiple bill” game—that is, holding hostage a host of appropriations bills early in the 104th Congress to gain influence over provisions in the reconciliation legislation—the fact remains that the Republican majority

continued to provoke vetoes and attempted doomed overrides well after Clinton refused to budge on their fiscal priorities and had vetoed the reconciliation legislation. Moreover, the Republican leadership pursued overrides on non-budgetary bills vetoed by Clinton, such as abortion legislation, to posture for the 1996 elections. At this juncture spatial analysis does not explain the GOP's strategy. The "multiple bill" hypothesis forms only part of the overall context. Across substantive issues the legislative or "policy game" was trumped by the political dimensions of the blame-game as Clinton and the GOP faced the 1996 elections in less than eleven months. Electoral motivations pushed the Republicans to attempt to build a public case against Clinton and blame him for policy stalemate.

The centrality of blame game politics in Clinton's early experience under divided government emphasizes the importance of a multifaceted approach in the evaluation of presidential "success" on veto threats. In the coordination game, presidents attempt to get the majority to capitulate to their policy demands, or at a minimum, gain some level of compromise—and the congressional majority would rather choose concessions over no legislation. Alternatively, in the blame-game scenario the politics of brinksmanship may supplant "normal" preferences for policy compromise. The congressional majority may provoke vetoes and/or attempt overrides in the bid to embarrass the president in the public arena. The president may also prefer to veto legislation to build a case against the majority. What becomes paramount is each player's relative confidence in winning the public relations duel.

Understanding Clinton's Strategy: A Multi-Stage Approach

Clinton's veto threat strategy is best understood by approaching executive-legislative relations through the lens of the "blame-game" in the 104th Congress and the legislative "coordination game" in the 105th-106th Congresses. The models can be tested with empirical

data by evaluating legislative outcomes and arraying the president's hypothetical outcome preferences in each scenario.

[Figure 2]

Figure 2 presents a decision-tree on potential legislative outcomes following a veto threat. Of course, these preference orderings are *not* absolutes. The decision tree is a heuristic. The preference continuums are meant to cast light on the relative success of veto threats under different assumptions about the type of game in which the congressional majority and the president was engaged.

In the legislative or “policy” game, according to the coordination model, the order of the president's preferences may be expressed as follows: $P0 > P1 ? P2 ? C4 > C6 > C8 = C10 > P4 > C9 > C11$. The primary objective of the president's veto threat is to get Congress to capitulate, kill the bill,³ or obtain substantial policy concessions. Clearly, the president would prefer that the majority acquiesce entirely to his demands (P0). Having the bill tabled in committee, killed by a floor vote, or passed in one chamber but never taken up in the other chamber (P1) is potentially equivalent to a compromise (P2), depending on the scope of the concessions the president must make in such a compromise. At the same time, lthough the president may be successful in halting the bill based on his particular objections, provisions he might otherwise support also do not pass.

In such a “legislative game,” congressional capitulation, failure of the bill, or inter-branch compromise following a veto threat are all favorable to casting a veto with the risk that it might be challenged. However, failed override attempts following compromise that does not go far enough to satisfy the president's demands (C4) or the majority's outright denial of the president's objections (C8) are nonetheless preferable to accepting the bill (P4). Obviously, any successful

override following a compromise shunned by the president (C9) or the majority's decision to reject any recognition of the president's concerns (C11) is the least preferable outcome.

The president's preference order may take quite a different shape if he recognizes that the congressional majority is playing a different game—or chooses to engage in the blame-game himself. In Figure 2 the blame-game path is represented by the upper portion of the diagram, beginning with C3, or the majority's decision to deny the president's objections in the bill. Under this scenario in which the congressional majority's interest is in building public or electoral support, the president's preference order may be expressed as follows:

C10?C6>C8?C4>P0>P1>P2>P4>C9=C11. Vetoes and/or failed override attempts that bring inter-branch policy disputes into the media spotlight may, in fact, be favorable to unchallenged vetoes, congressional capitulation, or compromise.

Under circumstances of intense partisan disagreement, the blame-game can enhance the president's policy reputation and negotiating position. A skillful president can use the power of the bully pulpit and his veto message to lay out for the public his rationale for returning legislation to Congress and portray himself as a conciliator. When the congressional majority triggers a veto or attempts an override to marshal public sympathy and build electoral support (or the president vetoes legislation to make a public case) the burden shifts to leaders on Capitol Hill who must explain their logic for denying the president's objections. There is some evidence that public esteem for Congress falls when leaders challenge the president (Durr, Gilmour, and Wolbrecht 1997). They may find themselves at a relative disadvantage to the president because they do not command the same level of media attention or resources to make their case to the public.

A failed override on legislation for which the majority has either denied the president's objections or compromised too little and provoked a veto can vindicate the president's policy

position in the public arena. Failed blame-game override attempts can also shore up the president's partisan base in Congress and in the electorate. If the majority's strategy backfires, as it did in 1995/96 on appropriations bills, the president may win not only in the court of public opinion and strengthen his strategic position on the next round of negotiations but also convince opposition majority leaders of the need to obviate blame-game tactics and reach compromise following future veto threats.

DATA AND ANALYSIS

Public veto threats issued by Clinton during the 104th-106th Congresses were catalogued using the searchable, on-line archives of *Congressional Quarterly Weekly Reports*. This search yielded a total of 143 veto threats from 1995-2000: Forty-one for the 104th Congress, forty-six for the 105th Congress, and fifty-six for the 106th Congress. For bills that passed or were subject to vetoes, the provisions to which Clinton objected were ascertained using *Congressional Quarterly*, *Washington Post*, and *New York Times* reports on bill histories, and compared against provisions contained in the final legislation. This methodology yields an overall assessment of legislative outcomes and facilitates arraying the president's set of preference outcomes under blame-game and coordination model assumptions.

Qualitative analysis of bill histories enables us to better grasp the intricate dynamics of strategic disagreement and policy compromise. As Deen and Arnold (2002) demonstrate in their analysis of veto threats in the George H.W. Bush administration, case studies are highly useful in assessing the extent of policy compromise and conflict between the branches. Veto threats do not occur in a vacuum—their force of influence must be understood within the political context surrounding executive-legislative relations. Examining the legislative histories of threatened legislation conveys better the types of threat signals the president sent and the congressional

reaction. Moreover, a closer analysis of presidential-congressional interaction on threatened legislation qualifies the classification of threats along the outcome continuum and furnishes a means to test the blame-game hypothesis in the 104th Congress.

Veto Threats and Legislative Outcomes Under Competing Assumptions

Table 1 presents legislative outcomes across the three periods in cross-tabular format. The arrangement of outcomes follows straightforwardly the paths in Figure 2: Congressional yielding to the president's objections (C1), inter-branch compromise (C2), or congressional denial of the president's objections (C3).

[Table 1]

These data underscore how the GOP majority and Clinton appeared to be engaged in different types of games from 1995-96 and from 1997-2000. While Congress rarely capitulated fully to the president's objections, veto threats often resulted in the failure of bills (P1)—but more frequently after 1996. The failure of bills increased significantly from the 104th Congress (36.6%) to almost half in the 105th Congress and remained above 40% for the 106th Congress. In these cases the bills failed in committee or on the floor, or were passed by one chamber and never taken up in the other. The increased inability of the majority to present enrolled bills to the president appears in part due to a declining willingness to challenge Clinton's veto threats.

This assertion is born out by examining the blame-game (deny) path in Table 1. The GOP majority ignored Clinton's objections on a *quarter* of all threatened legislation in the 104th Congress and provoked ten vetoes (C6, C10). Moreover, the Republican majority brought five of the ten vetoed bills up for overrides that failed (C10). What is similarly telling is that the percentage of threatened bills that yielded compromise and were accepted by the president (P2) doubled from the 104th to the 105th Congresses. Finally, after 1996 the GOP majority was

largely disinclined to challenge Clinton's vetoes when the leadership denied his legislative objections. The Republican majority challenged the president's veto only once in the 105th/106th Congresses. These data suggest the degree to which inter-branch bargaining dynamics substantively changed across the three congressional periods.

[Figures 3 and 4]

These same data may be arrayed according to the president's hypothetical preference outcomes under blame-game and coordination model assumptions. Figure 3 suggests that if Clinton recognized and engaged the majority's blame-game politics in the 104th Congress, the vetoes cast after denials of his objections and the failed override attempts could work to his advantage. By contrast, Figure 4 suggests that under coordination model assumptions Clinton could boast his ability to halt objectionable legislation (P1). And on compromise legislation, he was most successful in thwarting Republican "policy riders" with which he disagreed on appropriations and other substantive bills. The more frequent compromises struck on legislation passed from 1997-2000 (P2) gave both Clinton and the GOP majority a basis for credit-claiming.

How did Clinton successfully manage strategic disagreement in the 104th Congress, and how did those dynamics shape executive-legislative relations through the veto power after his reelection in 1996? The next sub-section examines more closely the risky politics of the public blame-game in the 104th Congress and the longer-term consequences for presidential-congressional relations in Clinton's second term.

Round One: Veto Threats in the 104th Congress and the Politics of Public Posturing

The federal budget dominated presidential-congressional attention from 1995-96 and the GOP's *Contract with America* became the focal point of inter-branch conflict. The congressional majority sought to curb governmental spending, cut or eliminate a host of domestic and foreign

programs, and reduce regulatory burdens on the private sector. In the public contest between the branches Clinton deftly outmaneuvered the majority, making good on his veto pledges and staging a coordinated effort with congressional Democrats to variably beat back and moderate the GOP agenda.

Budget issues pitted the White House and the Republicans on Capitol Hill against one another in an acute public relations battle. To return to Figure 3 momentarily, in the relatively rare cases in which inter-branch compromise emerged (P2) or the majority capitulated to the president's objections (P0), it was typically on spending issues with less symbolism attached to them and other minor elements of the GOP agenda.⁴ Only once was the Republican-led Congress able to override Clinton's veto in six years (C9). The successful override on the issue of shareholder lawsuits turned out to be quite atypical, as Clinton vetoed the bipartisan bill on technical issues that Democrats believed they had resolved to the president's satisfaction.⁵

Much more common was the inter-branch blame game on spending issues. Five of the eleven bills Clinton sent back to Congress contained "veto bait" provisions (C6). Rather than yield to the president's objections, the GOP majority was content to stand firm on policy positions and use the high-profile vetoes as defining issues for the upcoming 1996 elections. On another five bills, and as part of their effort to blame the White House for gridlock, Republican leaders attempted overrides that were doomed to fail because the legislation had originally passed along near-party line votes in the House (C10). These provoked vetoes and ill-fated override attempts were aimed at embarrassing the president and casting blame for the government shutdown on the White House. But when Republicans threw down the gauntlet, Clinton and the Democratic minority in Congress stood ready to joust in the court of public opinion.

As early as late Spring 1995, when authorizing and appropriations committees in Congress started work on spending bills, Clinton began issuing veto threats to sway GOP leaders to drop objectionable provisions, retain certain programs, or restore funding to others. As battles between the president and Congress over budgetary and programmatic priorities loomed, House leaders demonstrated an unwavering commitment to the objectives outlined in the *Contract with America*. Clinton's implicit, early message to Republicans seemed to be "go ahead, make my day" and defy me to wield the veto (Schneider 1995). He used the threat of vetoes and worked in tandem with congressional Democrats' opposition to the *Contract* to portray the majority's domestic program cuts as "extreme" in the public eye. The GOP majority came to understand too late how the structure of internal politics in Congress played to Clinton's hand: "Clinton had little incentive to sign onto their agenda and they did not have the votes to override his veto. In the end, Republicans were unable to reconcile sentiment in their conference that abhors compromise, with the need to attain compromise with the White House to enact the GOP agenda" (Cloud and Koszczuk 1995).

The harbinger of public confrontation between Clinton and Speaker Gingrich that would shut down portions of the executive branch in late 1995 and early 1996 came only six months into the 104th Congress. In June 1995 Republicans crafted a supplemental appropriations/recissions bill (HR 1158). The GOP majority set a trap for the president. Part of the bill provided financial assistance to flood-stricken states and earthquake-damaged California. But House leaders used the recissions portion of the bill to take direct aim at some of Clinton's most cherished domestic programs and legislative accomplishments during his first two years in office, including national service (Americorps) and Goals 2000 (education) (Taylor 1995). Republicans as well as Democrats believed a veto of the disaster relief bill, which also contained aid for Oklahoma City

subsequent to the bombing of the Murrah Federal Building, could prove “dicey,” as Democratic Senator Dale Bumpers put it (Healey 1995). Clinton successfully won back some \$835 million in rescinded funds in the Senate version of the bill, but House-Senate conferees ignored the compromise and pushed forth with a \$16.4 billion package of cuts that the administration called unacceptable (Morgan and Devroy 1995).

HR 1158 marked Clinton’s first attempt to re-frame the public debate over the GOP agenda through the veto power. To some observers, the president’s threat to nix the bill appeared contrived. Clinton accused the majority of forsaking critical domestic programs in favor of pet constituency projects, even though he had favored some of those very projects in the past (Schneider 1995). He forcefully opposed the measure and publicly criticized GOP leaders, forewarning that “I believe a bill that cuts education to put in pork is the wrong way to balance the budget, and I will veto it” (Devroy and Morgan 1995). While Speaker Gingrich and the Republicans tried to convince the nation they were making good on their electoral promise of smaller government, Clinton and Democrats endeavored to use the supplemental appropriations legislation as an exemplar for other bills they hoped to denounce as fiscally “reckless” or socially “irresponsible.”

The dynamics of Clinton’s eventual veto of HR 1158—the first veto of his presidency—reflected a basic pattern for other vetoed budgetary legislation in a number of ways. First, Clinton bolstered his policy reputation in Congress by carrying through on the veto threat when the majority called his bluff. The veto of HR 1158 settled the question of the president’s “relevance” in the legislative process vis-à-vis the GOP agenda (Mitchell 1995). And he proved he could “make it stick by commanding enough votes not to be overridden by Congress” (Cloud 1995). Republicans faced an overwhelming deficit of votes for a successful override. Second, the GOP

majority invoked electoral promises linked to the *Contract* as a justification for ignoring the president's objections. House leaders wagered that the public would view their resolve in favorable terms and reprove Clinton for adhering to the status quo and holding up their agenda. The president, however, carefully crafted his veto message to garner public sympathy. He sought to portray himself as a centrist willing to negotiate with a congressional majority that had shunned compromise. In the case of the supplemental appropriations bill, he emphasized disagreement "over priorities" and not over the basic goal of reduction of the budget deficit. He then outlined changes suggested by the administration to win his signature (Public Papers of the President 6/7/95, 828-29).

The legislative appropriations bill, HR 1854, brought inter-branch conflict over the budget closer to a climax as the president postured to gain as much leverage as possible over upcoming spending bills—and played a preemptive blame game. In this singular case, the bill had not been passed along party-lines, and the president's objection to the measure was not due to specific provisions. Clinton did *not* oppose the nearly 9 percent reduction in congressional outlays. Instead he sought to portray the Republicans as irresponsible for prioritizing congressional appropriations over other pending domestic appropriations bills. He also wanted to convince GOP leaders that he would not be "blackmailed" over the federal budget in the wake of his decision to sign a continuing resolution. That temporary spending measure, enacted in late September, warded off furloughs of government employees and bought time for him and Speaker Gingrich to reconcile policy differences over the budget (Harris and Yang 1995).

Clinton counseled Congress to complete work on the other eleven pending appropriations bills before passing its own spending measure. White House Press Secretary Michael McCurry framed the veto threat this way: "There are, you know, 11 other appropriations bills that

represent efforts very central and important to the American people that are now left hanging, so the president might just have to leave Congress hanging, too” (Salant 1995). Democrats embarked on a last-ditch effort to recommit the bill with instructions that it not be considered further until the other appropriations bills had been passed. The majority soundly rejected the move, believing that cutting congressional outlays first was symbolically important before turning attention elsewhere. Nonetheless, to mark their support of Clinton’s threat, all but ten Democrats supported the recommittal motion. The impact was to reverse the appearance of bipartisanship upon initial passage of the bill and thereby guarantee that an override attempt by the GOP leadership would fail.

Clinton’s decision to veto the legislative branch appropriations bill on October 3, 1995 ignited a growing war of words with GOP leaders. Tony Blankley, Speaker Gingrich’s spokesman, found the veto disingenuous: “It may be the first time in history a president has vetoed legislation with which he agrees” (Devroy 1995). GOP congressional leaders lambasted the president’s action and attempted to paint the veto as illustrative of Clinton’s preference for “big government.” Appropriations Chair Bob Livingston cried foul, arguing that “The president can’t have it both ways. He can’t lecture the Congress on political reform while vetoing the first real effort in 40 years to reform the Congress.” Senator Connie Mack of Florida, Chair of the upper chamber’s Legislative Appropriations Committee, chimed in and contended that “With this veto, candidate Clinton’s rhetoric for spending cuts doesn’t match the reality that President Clinton is still for more spending and more government” (Salant 1995a). In reality, the veto of HR 1854 was *not* about spending levels or internal reforms in Congress. The significance of the veto was far more symbolic than substantive, as Congress was expected to re-pass the bill in the same form after completing work on the other appropriations bills. Clinton’s strategy was to

wage a rhetorical campaign against the GOP agenda and to strengthen his strategic position on pending budget negotiations.

Blame-game politics between the branches intensified by December 1995 as Congress was pressed to adopt yet another temporary funding bill to keep portions of the government in operation. Disagreement between the White House and Capitol Hill over the federal budget pivoted on the reconciliation bill (HR 2491). Clinton objected to a panoply of provisions, from dramatic reductions in Medicare and Medicaid and education spending to the scope of tax cuts and environmental issues. Democrats, as minority whip David Bonior of Michigan emphasized, wanted Clinton to “stand firm” in his opposition to the Republican agenda. The president’s veto threat emboldened their resolve to take issue publicly with proposed cuts to programs dear to traditional Democratic constituencies (Hager 1995). Indeed, the reconciliation measure comprised many elements at the heart of the GOP’s *Contract* agenda from which the majority was loathe to back away, including components of welfare reform, trimming the regulatory scope of the federal government, and a balanced budget within seven years (Pear 1995; Kamen 1995). For months Speaker Gingrich insisted that he would hold other spending bills hostage to the president’s acceptance of a balanced budget (Pianin and Harris 1995). By framing the debate in these terms, Gingrich, Clinton, and congressional Democrats all but assured a dramatic confrontation between the branches.

In the days leading up the veto of the reconciliation bill on December 6, 1995 it appeared, albeit for a fleeting moment, that the White House and the GOP majority were not far from reaching an accord. The Republicans offered to restore \$4 billion in spending, Clinton insisted on \$8 billion, and the two sides were drawing closer to a mid-point both might accept. However, White House leaks of a “deal” to separate out the reconciliation bill from other pending

appropriations measures may have killed a compromise. Gingrich emphatically denied that the reconciliation and other spending bills could be divorced, dismissed such rumors as “spin,” and reaffirmed his opposition to signing on to any further temporary spending measures to keep elements of the government in operation, the president’s acceptance of a balanced budget notwithstanding (Hager 1995a).

Clinton’s veto of HR 2491 became embroiled in the politics of high rhetoric and symbolism on both ends of Pennsylvania Avenue. For his part, the president accented that the veto was consistent with his long-standing threats the majority chose to ignore (Purdum 1995). The White House, over the period of several months, publicly registered the view that “The Republican budget plan fails to protect Medicare, Medicaid, education, the environment and tax fairness,” and pledged a veto (Gray 1995). In returning the bill to Congress, Clinton symbolically used the same pen to veto the measure as Lyndon Johnson used to sign bills that created the Medicare and Medicaid programs. And his offensive rhetorical attack on the GOP agenda became harsher. Clinton’s veto message placed the blame for policy deadlock squarely on the Republican majority, contending the bill would “make extreme cuts and other unacceptable changes in Medicare and Medicaid, and...raise taxes on millions of working Americans” (Public Papers of the President 12/6/97, 1853). Clinton went on to detail his plan for arriving at a balanced budget without putatively draconian cuts. The president clearly maneuvered to present himself as a centrist defender of principles and responsible governance, not of outdated government programs. As one observer noted:

Mr. Clinton framed his disagreements with the Republicans as a battle over fundamental American ‘values,’ using that word an even dozen times in his brief speech and accusing the Republicans of seeking to ‘undermine’ or ‘violate our values,’ while vowing to ‘elevate,’ ‘protect’ and ‘honor’ them himself. At the same time, the White House took pains to describe Mr. Clinton’s proposal as a

gesture of good faith to the Republicans, one that will take the sketchy 10-year plan for balancing the budget that the President had offered earlier and condense it, with more detail, into the time frame the Republicans demanded. (Purdum 1995).

With the president's veto pen in mind, Speaker Gingrich accused him of "campaign gimmickry" and tried to cast Clinton as a defender of the status quo uninterested in a balanced budget. He inveighed that "the president needs to recognize that Lyndon Johnson's Great Society has failed. The people know that a Washington-based, Washington-spending, Washington bureaucracy, Washington red-tape Great Society isn't the answer" (Devroy and Pianin 1995).

The resulting budget impasse between the White House and Capitol Hill gripped the federal establishment and forced shutdowns of portions of the executive branch in December 1995 and into the New Year. In this interim period the Republican majority sent four appropriations bills to Clinton that he had long threatened to veto. The president made good on his threats, and Republicans brought three of the four bills to the House floor for overrides that were bound to fail: the Commerce, State, and Justice (HR 2076), Defense (HR 1530), and Interior (HR 1977) bills had passed via party-unity votes. Few Democrats were willing to break ranks to support the overrides.

The overrides represented symbolic maneuvers to assign blame to Clinton and the Democrats for the furloughs of government workers and the budget deadlock. The comments of Bob Livingston (R-LA), Chairman of the House Appropriations Committee, before the attempted override of the Interior bill typified the GOP's argument: "The Congress did its job. We sent the President three major funding bills that would have enabled Federal employees to return to work, but the President vetoed them. We are here once again attempting to send these people back to work" (Gray 1996). Republicans complained that the administration had been unwilling to negotiate compromises, *yet they had retained the most objectionable provisions Clinton cited in*

his public threats. For example, the president took particular issue with Republican plans to replace his “cops-on-the-beat” program with a block grant in the Commerce, State, Justice bill (Idelson 1995). Similarly, on the defense measure the GOP kept restrictions on the president’s authority to deploy troops for peacekeeping missions and retained plans for an anti-ballistic missile system that Clinton argued would violate the 1972 Anti-Ballistic Missile Treaty with Russia. Republicans used the override attempt to contend that the president vetoed the measure “because he wants neither the missile defense nor an adequate defense authorization bill” (Washington Post 1996).

The high-stakes tactics employed by Gingrich and GOP House leaders backfired with the unanticipated loss of public support. By early January 1996 it became clear that the public was beginning to ascribe far greater blame to the Congress than to the president for the policy confrontation and stalemate. The warning signs of the thin ice on which the GOP was treading were evident at the time of the initial showdown over the reconciliation bill in October of 1995. A NBC/New York Times national poll found that 10 percent or more respondents opposed the Republican agenda than supported it (Clymer 1995). The downward trend in public esteem for the GOP deepened as the budget confrontation unfolded. A CBS News survey released in early January 1996 uncovered that 44 percent of the public blamed Republicans for the government shutdown, while only 33 held President Clinton responsible (Clymer 1996). And throughout the budget imbroglio and beyond, Clinton’s favorability rating typically led Gingrich’s by twenty points or more. Despite the objections of GOP stalwarts like Susan Molinari (R-NY) who argued that “This is not *our* Government shutdown, this is *his* Government shutdown” (quoted in Rich 1996, my emphasis), Clinton’s deft manipulation of the budget impasse took a severe toll on Speaker Gingrich and others in the GOP leadership who had gambled that the public would view

the president—and not them—as the chief obstructionist in light of his many vetoes, both threatened and applied.

Several factors account for Clinton’s ability to prevail over congressional Republicans at the rhetorical blame-game. First, the Republican leadership had *overestimated* support for the *Contract* following the 1994 elections, in which only about a third of eligible voters actually turned out to cast ballots (see Hames 1995). Polls did show that a plurality of respondents supported the GOP agenda in early 1995. But by the time of the government shutdown the public’s trust of Congress and the president to handle pressing problems was nearly at parity (McAneny 1997; Newport 1998). While Republicans concentrated on the implicit and explicit anti-government message contained in the *Contract* that resonated with their core of conservative constituents, Clinton adroitly maneuvered to fight the *Contract* by vying for the support of the “vital center” of the electorate. At the same time, he rallied traditional Democratic constituencies threatened by the Republican policy program. The president transformed the budget showdown into a forum to portray the GOP agenda as “extreme” and reinvent himself as a centrist whose goal was to “save” popular programs such as Social Security and Medicare.

The GOP leadership had also *underestimated* the potential effect of negative press coverage of the government shutdown and the inherent media advantages possessed by the White House. As the budget impasse affected routine governmental services that voters generally take for granted—from access to national parks to the receipt of Social Security checks—a growing public backlash, well-documented by the television and print media, left the GOP in a quagmire. The Republican leadership also faced another dilemma. If the public views congressional challenges to the president with some skepticism (Durr, Gilmour, and Wolbrecht 1997), the “public speakership” and a fragmented congressional leadership necessarily have a difficult time

competing with the vast resources of the “public presidency.” As the focal point of media attention the presidency commands far more attention than the Speaker of the House or majority leaders. These factors combined to strengthen Clinton’s strategic position in the public arena.

The *coup de grâce* to the Republicans’ strategic standoff with Clinton arguably came with the president’s veto of welfare reform (HR 4) in early January 1996. The majority sent Clinton yet another measure that he had long threatened to veto, and in doing so in the midst of the budget crisis, provided the president with a critical opportunity to make the rhetorical case that the Republicans were again promoting “irresponsible policies.” Like the vetoed spending measures, the welfare reform bill had passed along party lines with no chance of a successful override. Republicans accused Clinton of reneging on his 1992 campaign promise to “end welfare as we know it” and tried to make an issue of the president’s veto of the legislation late in the evening. Senate majority leader Bob Dole contended that “The president may have tried to hide this ‘stealth veto’ by doing it late at night, but he can not hide the message he is sending to the American people...He will stand in the way of fundamental change and, instead, will fight for the status quo” (Havemann and Dewar 1996).

As early as his 1995 State of the Union Address Clinton tried to preempt the Republican welfare agenda by indicating in general terms that he would take a stand against any reform proposal that would “punish poverty” (Katz 1995). The president did hedge on the specifics of what he would and would not accept in a welfare reform package to avoid enabling the Republicans to craft a bill that he would be forced to veto (Cloud 1995). But the partisan nature of the eventual passage of HR 4 provided him with substantial political cover. A veto decision was a foregone conclusion after a House-Senate conference on the bill, dominated by conservative Republicans, won not a single Democratic signature (Pear 1995a). Clinton

attempted to avoid the recriminations of Dole and Gingrich that he had reneged on his 1992 campaign pledge by emphasizing the need to fashion a *bipartisan* approach to welfare reform, even if he was short on specifics. The president took his case to the public, claiming that the Republican bill would be “tough on children,” and would do “too little to move people from welfare to work” (see Pear 1996).

Congressional Republicans provoked two more vetoes following threats issued by Clinton after the government shutdown. The vetoes and override attempts of product liability and partial-birth abortion legislation were on discretionary domestic issues, which, unlike appropriations, did not face a “must pass” situation. But they had potential electoral value. Inter-branch conflict was aimed at shoring up support in the conservative base of the GOP for the 1996 elections (Harris 1996). On the abortion issue, for example, conservative Republicans were unwilling to compromise with Clinton over the wording of legislation. They managed to garner enough support in the House to override the president, but failed in the Senate. Conservatives took a longer term view that Clinton’s veto would prove unpopular and wanted public momentum against the procedure to build (Goodstein 1996).

Clinton was ultimately able to earn compromise on the budget, beat back important elements of the GOP agenda, and push the Republicans further to his own ideal point because he recognized early the type of legislative game in which the congressional majority was engaged from 1995-96. In the 104th Congress executive-legislative relations did not take resemble the typical bargaining situation proposed by the coordination model. Rather, inter-branch relations became a poker match with public support or condemnation for the government shutdown the product of a winning hand. Clinton had several “aces in the hole” that the congressional majority did not anticipate. Strong Democratic support enabled the president to make good on his policy

commitments and stave off overrides when Republicans attempted to call his bluff on veto threats. His trump card turned out to be the ability to use the rhetorical presidency to garner public sympathy, reassign blame to the GOP majority for uncompromising policy positions, and recapture important elements of the terms of debate, even if the Republican agenda supplanted his own carryover agenda of the 103rd Congress. Clinton's willingness to make good on his veto threats solidified his policy reputation in Congress and convinced GOP leaders to reassess how they would respond to his veto threats in his second term.

Round Two: Veto Threats as "Normal Politics" in Clinton's Second Term

At the outset of the budget crisis in 1995 White House Press Secretary Michael McCurry admitted that "There are big differences between the president and the Congress, and I suspect that those kinds of issues will have to be settled in November of 1996" (Hager 1995a). But despite a modest seat gain for Democrats in Congress that left Republicans in continued control of both chambers, Clinton's reelection seemed only to reaffirm the status quo. The institutional setting assured that veto threats would remain a powerful tool for the president in the 105th and 106th Congresses.

Policy compromise was, however, more forthcoming over the period 1997-2000. Presidential-congressional bargaining frequently reflected the assumptions of the coordination model. Republicans carefully selected elements of their agenda on which to challenge the president publicly and were eager to avoid a budgetary crisis. Both the president and the Republican majority showed more willingness to reach common ground on spending levels, and a federal revenue windfall undoubtedly facilitated reconciling Clinton's spending proposals with Republicans' tax cuts. On other bills, the majority attempted to attach "policy riders" or amendments to bills that the president could otherwise support. Clinton was generally successful

in persuading GOP leaders to drop the most exceptionable riders through veto threats or made good on his threats to force re-negotiation.

Clinton issued 102 public veto threats across his second term according to the methodology employed in this analysis. As in the 104th Congress, a plurality of threatened bills—about one in four threatened bills—failed in one or the other chamber (Figure 4, P1). Many of these bills concerned elements of the GOP agenda that stirred considerable controversy in Congress and passed the House along party-line votes, never to be taken up by the more moderate Senate. What changed was that inter-branch *compromise* was much more the norm for threatened legislation. The evidence that the experiences of the 104th Congress had transformed the legislative game is most visible in Figure 4 in terms of the ratio of compromise bills (P2) to vetoed bills with no override attempt (C6). Compromise outpaced provoked vetoes by more than two-to-one from 1997-2000. Moreover, only once did the Republican majority attempt an override of a vetoed bill—the storage of nuclear waste in Nevada—which was neither a central agenda item to the GOP nor a burning election year issue in 2000. Figure 4 shows that the overwhelming share of outcomes in Clinton’s second term reflected his top three outcome preferences according to the coordination game.

Perhaps the greatest compromise between the branches embedded in Figure 4 was the reconciliation bill, HR 2015, which comprised an agreement between Clinton and the Republican majority to balance the federal budget by 2002. In the short term the budget agreement set the stage for smoother relations between the branches on government spending. Several factors compelled the president and Republicans to work together. The split decision of the 1996 elections confirmed that neither the president nor the GOP leadership had prevailed outright in the policy battles of the preceding two years. They had succeeded largely in reinforcing support

among their core constituents. Both the White House and the Republican majority had reason to set their sights on credit-claiming opportunities rather than on assigning blame for gridlock. As a second-term president Clinton had his policy legacy to contemplate. Republicans, on the other hand, needed to prove their capacity to govern responsibly and claim credit for policy accomplishments in the hope of retaining and expanding electoral support. With a strengthened economy and tax coffers growing with an anticipated revenue surplus, a unique but ephemeral window of opportunity opened for Clinton and the GOP to come to terms with some of the most intractable issues that had dogged them in the prior two years.

The commitment to balance the budget in the 105th Congress was the quintessential example of brokerage politics between the president and Congress that had been absent in the preceding two years. The May 2, 1997 agreement between Clinton and GOP leaders provided a framework for good-faith negotiations. Republicans had learned that the administration did not issue veto threats casually and began to take them seriously. The experiences of the 104th Congress had not necessarily eased tense relations between the president and Republican appropriators, but they had “produced a solid sense of each other’s parameters” that facilitated compromise (Taylor 1997). Both sides attempted to negotiate the budget by evaluating whether provisions were consistent with the letter or spirit of the accord. For example, the Republican proposal to cut Social Security benefits for legal immigrants in HR 2015, the reconciliation bill, was dropped following a veto threat. Clinton and fellow Democrats argued that the provision violated the budget agreement, and Republicans conceded as they eyed the potential for tax reductions (Congressional Quarterly Weekly Report, 12/6/97).

Passage of HR 2015 enabled both sides to claim victory. Clinton cited the achievement as a “balanced budget with balanced values,” while Republicans garnered tax cuts in several

categories. The strong performance of the economy allowed for the accommodation of seemingly opposing goals. Clinton yielded some \$58 billion for domestic programs but won funding for his priorities (Stevenson 1997). As the Washington Post noted, “With the new-found funds, there was more than enough for negotiators to pay for \$ 34 billion of Clinton’s proposals for expanded health care coverage for impoverished children, partial restoration of welfare and disability benefits for legal immigrants that were cut out in last year’s welfare reform legislation, and educational tax credits and deductions” (Pianin and Harris 1997).

The 1997 budget accord tempered conflict on appropriations measures during the 105th Congress. From 1997-98 Clinton threatened to veto well over half of all spending measures but only vetoed one bill because Republicans typically yielded enough ground. In 1997, for example, the GOP majority restored funds for the National Endowment for the Arts (HR 2107), compromised over Clinton’s spending proposals for education (HR 2264), and finessed language concerning a deadline for removing troops in Bosnia (HR 2266) to win the president’s approval. In other cases Speaker Gingrich found himself wrangling with members of his own conference, like Bud Shuster of Pennsylvania, Chair of the House Transportation Committee, to enforce the budget agreement on spending levels in the highway bill (HR 2400).

Compromise on threatened budget legislation was also common in the 106th Congress, save for a flare up in vetoes on threatened appropriations measures in 1999. If Clinton had preempted the GOP on reaching a balanced budget by 2002, Republicans sought to regain control of the debate by balancing the FY 2000 budget and making good on their pledge not to utilize Social Security Trust Funds in that effort (Taylor 1999). But Hill Republicans stopped well short of brinkmanship. Speaker Dennis Hastert oversaw the relatively timely progress on appropriations measures that militated against another government shutdown. The completion of

the measures enabled him to rally the Republican conference around his promise to “stop the decades-long practice of using Social Security surpluses to underwrite other federal spending (Taylor 1999a).

Using Social Security funds as political cover, Hastert and Republican leaders engaged in a more subtle budgetary blame-game. Instead of taking uncompromising stands following veto threats, as Gingrich had, Hastert sought to portray the majority as the conciliator seeking bipartisan solutions and Clinton as irresponsible for opposing across-the-board spending cuts necessary to avoid “raiding” Social Security funds. In stark contrast to Gingrich’s tactics of the 104th Congress, Hastert and GOP leaders went out of their way to point out publicly *just how far they had compromised with the president* to accommodate his spending demands and then threatened to “revert to our own priorities” if Clinton vetoed legislation (Foerstel 1999).

Ironically, the appropriations measure for the District of Columbia—the smallest spending bill—was thrust in the spotlight. Clinton vetoed the first rendition of the bill (HR 2587) on the basis of conservative policy riders that restricted programs ranging from needle-exchange programs to abortion. Clinton then vetoed the second bill (HR 3064) because of a rider implementing a nearly 1 percent reduction in across-the-board spending. The Republicans attempted to use this veto and several others as an opportunity to gain leverage over Clinton to force additional spending cuts (Pomper 1999). While the strategy met with mixed results in the re-negotiation of vetoed bills, both sides eagerly avoided talk of a government shutdown. One effect of the GOP strategy may have been to raise public awareness of the issue. Whether to sequester Social Security funds in a “lock box” became a central issue in the presidential campaigns of George W. Bush and Al Gore in 2000.

The majority of threatened bills on which the Republican majority chose not to compromise and challenge the president was distinguishable by the measures' typically discretionary character, unlike "must pass" appropriations bills that had been the center of controversy in the 104th Congress. Most of the provoked vetoes furnished opportunities for the majority to make policy statements without immediate ramifications in an attempt to build electoral support or offset compromises made in appropriations bills. For example, Republicans were forced to yield to the president on several occasions on education funding levels. They responded to polls showing voter concern over education by touting school choice and education savings accounts to the middle class. By provoking vetoes they sought to distinguish their position from Clinton and the Democrats, who argued that federal subventions should focus solely on public schools and that education savings accounts would benefit only the wealthy.⁶ Similarly, in several bills dating to the 104th Congress Republicans had dropped abortion provisions to which the president objected. Republicans used a bill to reorganize foreign affairs (HR 1757) agencies in the 105th Congress to tie payments to the United Nations (UN) to the president's acceptance of restrictions on international family planning. The bill languished for months following Clinton's veto threat as Republicans, including Senate Foreign Relations Chair Jesse Helms, tried to sway the president. Clinton vetoed the bill and key provisions in the State Department authorization were appended to an omnibus bill. Withholding the UN payment did not produce a major crisis, but Republicans made their symbolic point and stood poised to re-negotiate the bill in the 106th Congress (Congressional Quarterly Weekly Report 1998).

CONCLUSIONS

Veto threats constitute a different criterion in the analysis of presidential success. Divided government following the elections of 1994 fundamentally transformed Clinton's legislative

strategy. The president did not “steal” the Republican agenda as much as he moderated it, preempted it, and re-tooled it through *veto leverage* (Conley 2002). Some scholars have suggested that Clinton was more successful in his manipulation of institutional and electoral politics under divided government than he was in pushing forth an expansive agenda two years earlier when Democrats controlled Congress (see Edwards 2000).

This analysis has combined theoretical perspectives on presidential veto threats to explain the basis for Clinton’s influence over policy outcomes, and why veto threats figured so prominently in executive-legislative relations across his two terms. Strategic disagreement entails risks to both branches of the national government. Nothing guaranteed that Clinton would prevail at the public blame-game in the 104th Congress. The extreme conflict between the branches placed a premium on the president’s rhetorical skills and his standing with the public. The president had to make the case to voters that the ameliorated legislation derived far less from his own set of policy objectives than from the opposition majority’s agenda. And he faced significant pressures among his own partisans for compromising too much on several occasions. The sharp critiques of Clinton’s compromise on the welfare reform bill by select congressional Democrats such as Daniel Patrick Moynihan and Charles Rangel point to a certain irony of divided government. Presidents need to maintain unity among their co-partisans to retain veto leverage as a means of negotiating with the opposition majority. But intense conflict in Congress can also make it more difficult for presidents to find a middle-ground and strike compromises acceptable to their loyal partisans.

In playing the public blame game, the GOP majority satisfied its core electoral constituencies but failed to expand the reach of supporters, if the nominal seat losses in Congress in 1996 and 1998 are any indication. In Clinton’s second term, Speaker Gingrich resigned and the

experiences of the 104th Congress weighed heavily on Hill Republicans. The Republican majority was most successful when leaders like Speaker Dennis Hastert came to recognize that compromise and some amount of sharing of the terms of debate with the White House were necessary to attain policy accomplishments. Thus, the executive-legislative conflict that wracked Washington in late 1995 and early 1996 established the basis for a different form of inter-branch accommodation later in Clinton's second term.

The 1990s were notable for the volatility of institutional politics between the president and Congress. A narrowly divided Congress mirrored a narrowly divided electorate. Clinton's template for managing the condition of divided government through veto threats was not lost on George W. Bush, who used a highly public strategy of strategic disagreement with Senate Democrats over the establishment of the Department of Homeland Security as an electoral campaign in the 2002 mid-term elections. Bush's strategy, like Clinton's, suggests that the blame-game may be a much more common phenomenon under recent conditions of divided government than formal models of the executive-legislative relationship suggest—and is clearly worthy of greater scholarly attention.

NOTES

¹ Cameron's (2000) analysis terminates with George Bush in 1992. He identifies only a scattering of identifiable blame-game vetoes over post-War period through Bush's presidency (p. 195).

² Bond and Fleisher (1990) identify moderate, "cross-pressured" members as those legislators whose ideological positions are closer to the median of other party than to their own.

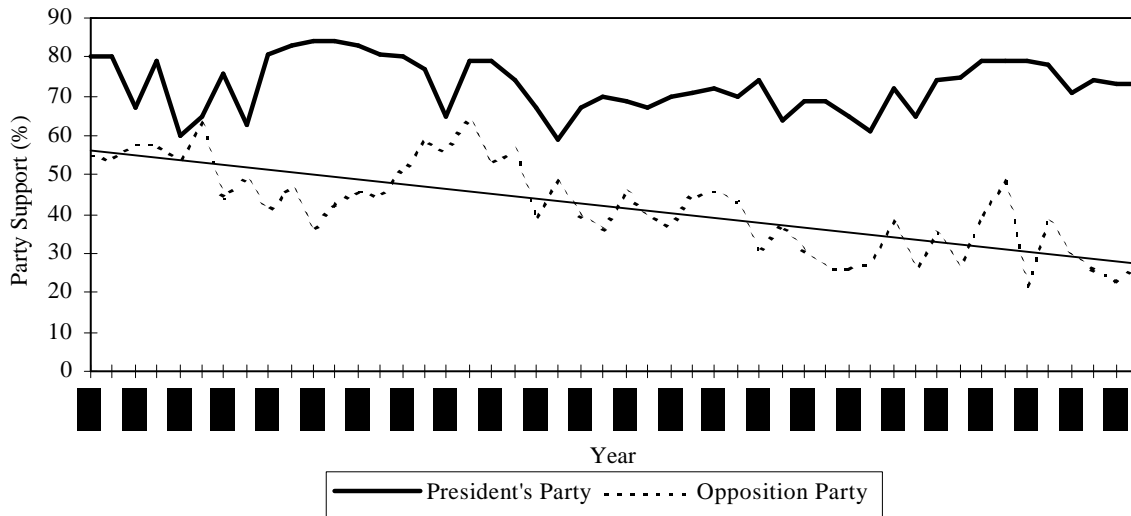
³ Cameron (2000) does not consider the impact of veto threats on the probability of a bill's failure. There are grounds to suspect that veto threats are one of many factors that may enhance the probability of the failure of legislation, especially between the House and Senate. For example, a veto threat following passage of legislation in the House along party lines may dissuade Senate leaders from bringing up the bill.

⁴ For example, congressional Republicans capitulated on the toughest provisions of HR 927 (Cuba sanctions) and HR 2202 (immigration reform)—in the latter case so they could return to their districts to campaign in 1996.

⁵ The issue of shareholder lawsuits was not central to the GOP agenda. Democratic Senator Christopher Dodd believed that he had worked out a compromise on details of the legislation that were acceptable to the president. Democrats overwhelmingly voted to override the president's veto. While the president's co-partisans were careful to note that their actions were not meant as an affront to the president, "Privately...many were angered at the way Clinton handled the matter, directing his veto at issues that the Administration had not previously emphasized and embarrassing Dodd, a Clinton loyalist" (*Congressional Quarterly Almanac* 1995, 2:92).

⁶ Clinton vetoed HR 2646, a proposal for education savings accounts, as well as S 1502, a bill that would have provided a pilot voucher program for the District of Columbia.

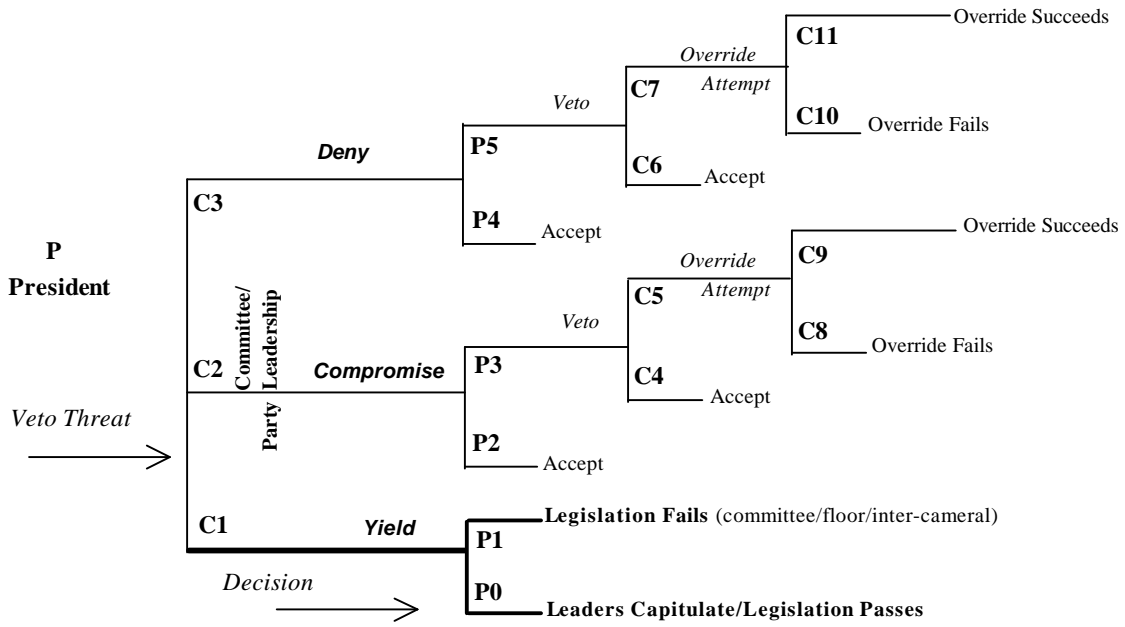
FIGURE 1
 Aggregate Party Support for the President's Positions, 1953-2000^a



^a The data represent the percent of times presidents won a majority of their co-partisans or opposition members for their stated position.

Source: *Congressional Quarterly Almanacs*, 1953-2000.

FIGURE 2
Veto Threat Signals and Legislative Outcomes



Source: author.

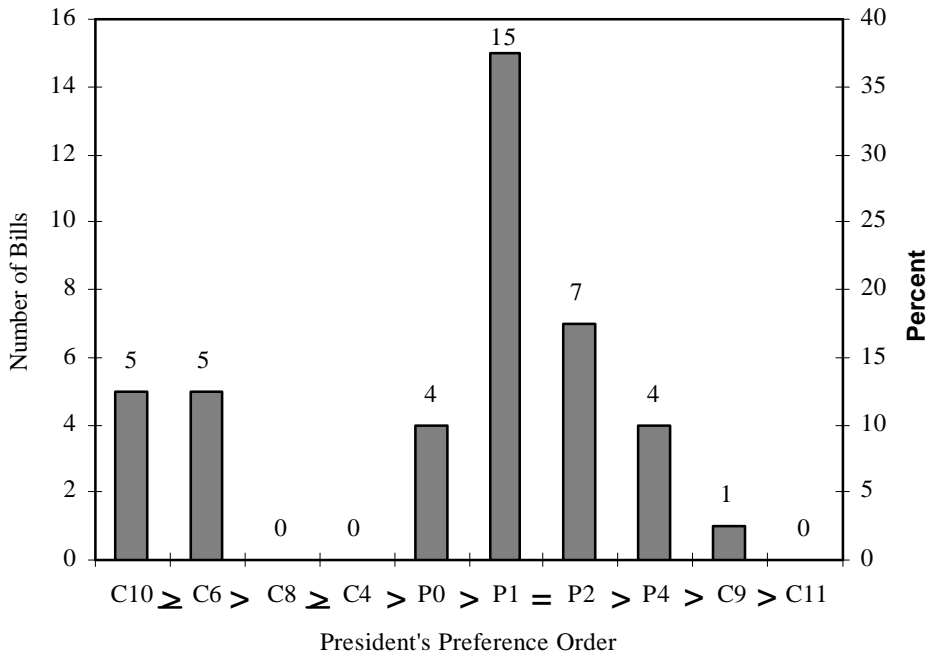
TABLE 1
An Overview of Veto Threats and Legislative Outcomes,
104th-106th Congresses^a

Event Chain	Outcome Category	Congress, # of threatened bills		
		104th (n=41)	105th (n=46)	106th (n=56)
YIELD	P0, capitulation	4 (9.8%)	2 (4.3%)	5 (8.9%)
	P1, legislation fails	15 (36.6%)	22 (47.8%)	24 (42.9%)
COMPROMISE	P2, President accepts	7 (17.1%)	16 (34.8%)	15 (26.8%)
	[P3 – President vetoes]	-----	-----	-----
	C4, veto accepted	0	0	0
	[C5 – override attempt]	-----	-----	-----
	C8, override fails	0	0	0
	C9, override succeeds	1 (2.4%)	0	0
DENY (Blame-Game)	P4, President accepts	4 (9.8%)	0	4 (7.1%)
	[P5 – President vetoes]	-----	-----	-----
	C6, veto accepted	5 (12.2%)	6 (13.0%)	7 (12.5%)
	[C7 – override attempt]	-----	-----	-----
	C10, override fails	5 (12.2%)	0	1 (1.8%)
	C11, override succeeds	0	0	0

^a Note: Column percentages do not add exactly to 100% due to rounding.

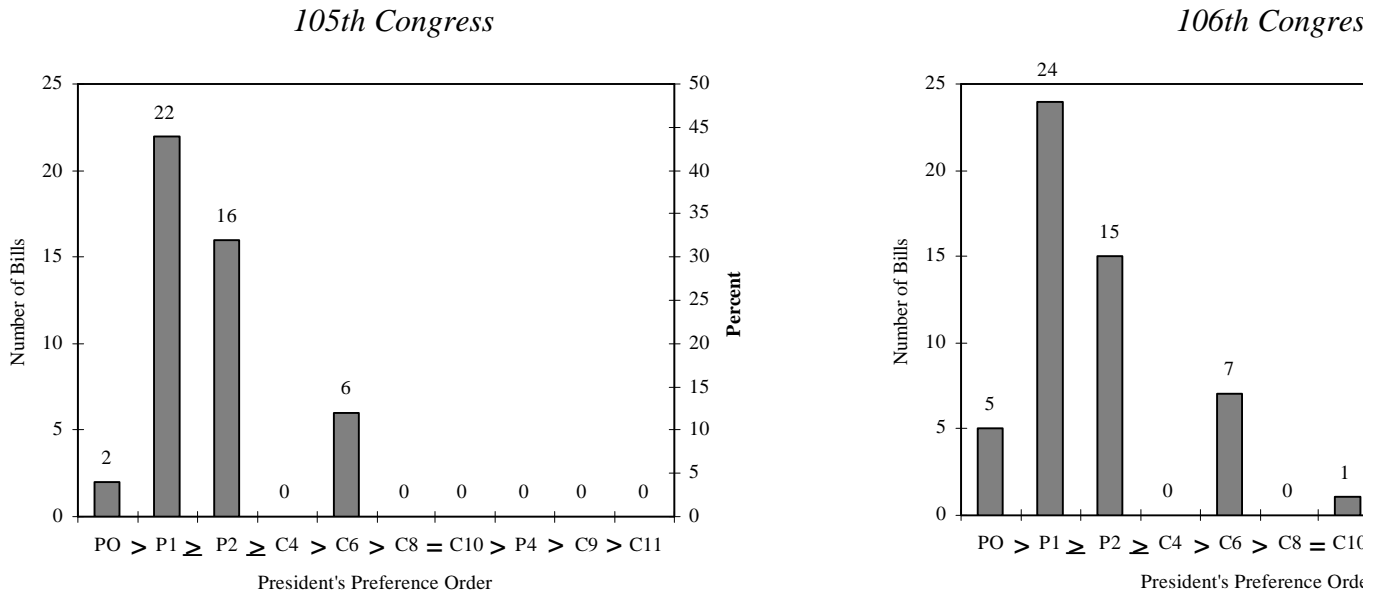
Source: Compiled by author.

FIGURE 3
 Veto Threats and Legislative Outcomes in the 104th Congress: Blame-Game Politics



Source: Compiled by author.

FIGURE 4
 Veto Threats and Legislative Outcomes in the 105th -106th
 Congresses: The Coordination Game



Source: compiled by author.

REFERENCES

- Bond, Jon R., and Richard Fleisher. 2000. "Partisanship and the President's Quest for Votes." In Jon R. Bond and Richard Fleisher, eds., *Polarized Politics: Congress and the President in a Partisan Era*. Washington, DC: Congressional Quarterly.
- _____. 1990. *The President in the Legislative Arena*. Chicago: University of Chicago Press.
- Cameron, Charles. 2000. *Veto Bargaining: Presidents and the Politics of Negative Power*. New York, NY: Cambridge University Press.
- Cloud, David S. 1995. "Clinton Holds His Veto Power Over Heads of Republicans." *Congressional Quarterly Weekly Report*, June 3.
- Cloud, David S., and Jackie Koszczuk. 1995. "GOP's All-or-Nothing Approach Hangs on a Balanced Budget." *Congressional Quarterly Weekly Report*, December 9.
- Clymer, Adam. 1996. "Leaders in House Drop G.O.P. Plan on U.S. Workers." *New York Times*, January 5, A1.
- _____. 1995. "Big Risk For G.O.P." *New York Times*, November 11, A10.
- Congressional Quarterly Almanac*, 1995-1999. Washington, DC: Congressional Quarterly.
- Congressional Quarterly Weekly Report*. 1998. "Legislative Summary: World View." November 14.
- _____. 1997. "105th Congress, First Session: Economics & Finance." December 6.
- _____. 1998. "Legislative Summary: World View." November 14.
- Conley, Richard S. 2002. *The Presidency, Congress, and Divided Government: A Postwar Assessment*. College Station, TX: Texas A&M University Press.
- _____. 2000. "Democratic Presidents and Divided Government: Truman and Clinton Compared." *Presidential Studies Quarterly* 30: 222-44.
- _____ and Amie Kreppel. 2001. "Toward a New Typology of Vetoes and Overrides: Legislative and Non-Legislative Goals with Implications for Presidential and Congressional Power." *Political Research Quarterly* 54: 831-52.
- Deen, Rebecca E., and Laura W. Arnold. 2002. "Assessing Effectiveness of Veto Threats in the Bush Administration (1989 -93): Preliminary Evidence from Case Studies." *Congress and the Presidency* 29 (Spring 2002): 47 -67.

- Devroy, Ann. 1995. "Clinton, To Make a Point, Vetoes Bill He Supports." *Washington Post*, October 4, A4.
- Devroy, Ann, and Dan Morgan. 1995. "GOP Cuts Spare Pork Barrel, Clinton Asserts; President Offers Slightly Modified Spending Reductions as Alternative to Promised Veto." *Washington Post*, May 18, A07.
- Devroy, Ann, and Eric Pianin. 1995. "Clinton Vetoes GOP 's 7-Year Balanced Budget Plan." December 7, A1.
- Durr, Robert H., John B. Gilmour, and Christina Wolbrecht. 1997. "Explaining Congressional Approval." *American Journal of Political Science* 41: 175-207.
- Eastland, Terry. 1992. "Bush 's Fatal Attraction: Anatomy of the Budget Fiasco." *Policy Review* 60: 20-24.
- Edwards III, George C. 2000. "Campaigning is No t Governing: Bill Clinton 's Rhetorical Presidency." In Colin Campbell and Bert A. Rockman, eds., *The Clinton Legacy*. New York, NY: Chatham House.
- Foerstel, Karen. 1999. "CJS Compromise Speeds Toward A Final Confrontation." *Congressional Quarterly Weekly Report*, October 23.
- Gilmour, John B. 1995. *Strategic Disagreement: Stalemate in American Politics*. Pittsburgh, PA: University of Pittsburgh Press.
- Goodstein, Laurie. 1996. "Religious Leaders Back Abortion Ban Veto." *Washington Post*, April 30, A04.
- Gray, Jerry. 1996. "Battle over the Budget: The Legislation: House Fails to Override Veto of Spending Bills." *New York Times*, January 4, A9.
- _____. 1995. "Budget Talks Face Hurdle of Hostility." *New York Times*, December 1, B1.
- Groseclose, Tim, and Nolan McCarty. 2001. "The Politics of Blame: Bargaining Before an Audience." *American Journal of Political Science* 45: 100-120.
- Hager, George. 1995. "The Budget: In the House, GOP Leadership Scores Comfortable Win." *Congressional Quarterly Weekly Report*, October 28.
- _____. 1995a. "Problems in Opening Round Could Signal Bigger Woes." *Congressional Quarterly Weekly Report*, December 2.
- Hames, Tim. 1995. "The US Mid-term Election of 1994." *Electoral Studies* 14: 223-26.

- Harris, John F. 1996. "Clinton Vetoes Product Liability Measure; Move Triggers Barrage of Accusations Between White House and Hill Republicans." *Washington Post*, May 3, A14.
- Harris, John F. , and John E. Yang. 1995. "Clinton Says He W on't Be 'Blackmailed' by Gingrich on Budget." *Washington Post*, September 26, A04.
- Havemann, Judith , and Helen Dewar. 1996. "GOP Skewers Clinton for Veto of Welfare Bill." January 11, A7.
- Healey, Jon. 1995. "House OKs Conference Report On Fiscal '95 Rescissions." *Congressional Quarterly Weekly Report*, May 20.
- Kamen, Al. 1995. "Clinton Attacks Republican Environmental Proposals." *Washington Post*, November 5, A18.
- Idelson, Holly. 1995. "Appropriations: Clinton Expected To Veto Commerce -Justice Bill." *Congressional Quarterly Weekly Report*, December 9.
- Ingberman, Daniel E. , and Dennis A. Yao. 1991. "Presidential Commitment and the Veto." *American Journal of Political Science* 35: 357-389.
- Katz, Jeffrey L. 1995. "Concerns Over House Bill." *Congressional Quarterly Weekly Report*, January 28.
- Kernell, Samuel. 1997. *Going Public: New Strategies of Presidential Leadership*, third edition. Washington, DC: Congressional Quarterly Press.
- Matthews, Steven A. 1989. "Veto Threats: Rhetoric in a Bargaining Game." *Quarterly Journal of Economics* 104: 347-69.
- McAneny, Leslie. 1997. "Confidence in Congressional Republicans Continues to Erode." *Gallup Organization*, Poll Analyses, July 11. [Http://www.gallup.com/poll/releases/pr970711.asp](http://www.gallup.com/poll/releases/pr970711.asp)
- McCarty, Nolan M. 1997. "Presidential Reputation and the Veto." *Economics and Politics* 9: 1-26.
- Mitchell, Alison. 1995. "With First Veto, Clinton Rejects Budget -Cut Bill." *New York Times*, June 7, A01.
- Morgan, Dan, and Ann Devroy. 1995. "Clinton to Veto \$16 Billion Recisions Package." *Washington Post*, May 17, A01.
- Newport, Frank. 1998. "Gingrich An Unpopular Figure During His Tenure As Speaker." *Gallup Organization*, Poll Analyses, November 11. [Http://www.gallup.com/poll/releases/pr981114.asp](http://www.gallup.com/poll/releases/pr981114.asp).

Pear, Robert. 1996. "Clinton Vetoes G.O.P. Plan to Change Welfare System." *New York Times*, January 10, B7.

_____. 1995. "Officials Assure Democrats of a Veto of the Welfare Bill." *New York Times*, November 30, B14."

_____. 1995a. "Welfare Bill Cleared by Congress and Now Awaits Clinton's Veto." *New York Times*, December 23, A1.

Pianin, Eric, and John Harris. 1997. "President, GOP Agree on Balanced Budget Plan; Last -Minute Disputes Swept Away By \$225 Billion Revenue Windfall." *Washington Post*, May 3, A1.

_____. 1995. "President Gains Status in Budget Battle." *Washington Post*, September 3, A18.

Pomper, Miles A. 1999. "Republicans Wheedle the Votes To Clear Foreign Operations Bill, But Veto Is Likely Over Aid Levels." *Congressional Quarterly Weekly Report*, October 9.

Purdum, Todd S. 1995. "As Long Promised, President Vetoes the G.O.P. Budget." *New York Times*, December 7, A1.

Public Papers of the President. Washington, DC: GPO.

Rich, Frank. 1996. "Let 'Em Eat Vermeer." *New York Times*, January 10, A15.

Salant, Jonathan. 1995. "Appropriations: Clinton Hedging on Veto Threat For Legislative Branch Bill." *Congressional Quarterly Weekly Report*, September 30.

_____. 1995a. "Appropriations: GOP Considering Its Response To Legislative Branch Veto." *Congressional Quarterly Weekly Report*, October 7.

Schneider, William. 1995. "Putting The 'Clint' In Clinton; President to GOP: 'Go Ahead. Make My Day.'" *Washington Post*, May 28, C01.

Sinclair, Barbara. 2000. "Hostile Partners: The President, Congress, and Lawmaking in the Partisan 1990s." In Jon R. Bond and Richard Fleisher, eds., *Polarized Politics: Congress and the President in a Partisan Era*. Washington, D.C.: Congressional Quarterly.

Stevenson, Richard W. 1997. "After Years of Wrangling, Accord Is Reached on Plan to Balance Budget by 2002." *New York Times*, May 3, A1.

Taylor, Andrew. 1995. "Senate Clears Rescissions Bill After Talks With Clinton Fail." *Congressional Quarterly Weekly Report*, May 27.

_____. 1997. "Progress Remarkably Smooth On Fiscal '98 Spending Bills." *Congressional Quarterly Weekly Report*, September 20.

_____. 1999. "As More Spending Bills Move, GOP Weighs Cutting All 13 To Keep Social Security Vow." *Congressional Quarterly Weekly Report*, October 10.

_____. 1999a. "GOP Finds Hastert Strategy Paying Off in Fiscal Showdown ." *Congressional Quarterly Weekly Report*, October 23.

Washington Post. 1996. "House Fails to Override Clinton Veto of Defense Bill." January 4, A20 (Defense and Diplomacy).

Weekly Compilation of Presidential Documents. Washington, DC: GPO.