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The First Year: Assessments of Cooperation Between Newly Elected Presidents and Congress

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Summary

During their first year in office, most recent Presidents have enjoyed a beginning period of cooperation—a "honeymoon"—with Congress. For some, it has lasted longer than for others, and with different legislative results. This report, drawing upon the evaluations of journalists, historians, and political scientists, provides a brief assessment of the extent of cooperation between newly elected Presidents, during their first year in office, and Congress. The Presidents and the focus periods of the study are Franklin D. Roosevelt in 1933, when the famed Hundred Days resulted in 15 major laws; Dwight D. Eisenhower in 1953, when two thirds of his proposals were successfully enacted; and John F. Kennedy in 1961, when slightly more than half of his initiatives were passed into law. Also included in the assessment are Lyndon B. Johnson in 1964 and 1965, with respective success rates of 88% and 93%; Richard M. Nixon in 1969, with a 74% success rate; Jimmy Carter in 1978, with a success rate just over 75%; Ronald Reagan in 1981, with slightly more than an 82% success rate; George H. W. Bush in 1989, with a rate of 63%; and William J. Clinton in 1993, with a rate of slightly more than 86%. The conditions surrounding Harry S. Truman's initial year as an elected President and Gerald R. Ford's first year in the presidency were sufficiently unusual that they are not included in the study. This report will not be updated.

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The First Year: Assessments of Cooperation Between Newly Elected Presidents and Congress

Drawing upon the evaluations of journalists, historians, and political scientists, this report provides a capsule assessment of the extent of cooperation between newly elected Presidents, during their first year in office, and Congress. The Presidents and the focus periods of the study are Franklin D. Roosevelt in 1933, Dwight D. Eisenhower in 1953, John F. Kennedy in 1961, Lyndon B. Johnson in 1964 and 1965, Richard M. Nixon in 1969, Jimmy Carter in 1978, Ronald Reagan in 1981, George H. W. Bush in 1989, and William J. Clinton in 1993. The conditions surrounding Harry S. Truman's initial year as an elected President and Gerald R. Ford's first year in the presidency were sufficiently unusual that they are not included in the study.

Franklin D. Roosevelt

Franklin D. Roosevelt was inaugurated on March 4, 1933. Carrying 42 states in his election, he received 472 electoral votes, compared to 59 votes for Herbert Hoover. On March 5, FDR called the new 73rd Congress into special session and set March 9 as the date for its convening. Roosevelt's party commanded majorities of 60-36 in the Senate and 310-122 in the House. Adjourning on June 15, 1933, the first session of the 73rd Congress lasted 99 days.

The nation had been in the grip of the Great Depression for more than three years when FDR took the presidential oath. Undoubtedly, both Roosevelt and Congress well understood that relief and recovery for the populace was their primary and urgent task. When his proclamation calling Congress into special session was issued, however, no purpose for the meeting was specifically indicated or even alluded to generally.[1] By his own admission, his immediate desire was to address the crisis of failing banks, but once Congress was in session, FDR decided to continue the assembly for as long as it suited the mutual purposes of the two branches.[2]

Roosevelt reportedly had rough drafts of two presidential proclamations prior to his arrival in Washington. One called for a special session of Congress and the other temporarily closed the nation's banks.[3] Issued on March 6, the latter of these—the "bank holiday" proclamation—relied upon the questionable authority of

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[1] 48 Stat. 1689.

[2] Franklin D. Roosevelt, *On Our Way* (New York: John Day, 1934), pp. 36-37.

[3] Arthur M. Schlesinger, Jr., *The Coming of the New Deal* (Boston: Houghton Mifflin, 1959), p. 4.

the Trading with the Enemy Act of 1917.[4] A better regulatory mandate was needed, and draft legislation was quickly prepared. When Congress convened, the House had no printed copies of the measure and had to rely upon the Speaker reading from a draft text. After 38 minutes of debate, the House passed the bill. The Senate gave approval early in the evening, and, an hour later, the President signed the Emergency Banking Act into law.[5] Simultaneously, FDR, relying upon the new banking statute,[6] issued a new proclamation continuing his earlier "bank holiday" declaration.[7]

The spirit of cooperation between the President and Congress was established. Roosevelt "planned close and consistent cooperation" with Congress "by working through the regular party leaders. Both houses were organized to his liking."[8] Moreover, he formed a crucially important working relationship with Representative Sam Rayburn (D-TX), the chairman of the House Committee on Interstate and Foreign Commerce, to which much New Deal reform legislation was referred during the first session of the 73rd Congress. Rayburn became FDR's "special leader" in the House, and would become Speaker seven years later.[9]

Recounting the Hundred Days experience, Columbia University economist Rexford G. Tugwell, one of Roosevelt's close advisers and a member of his pre-presidential "Brains Trust," commented that, at the opening of the 73rd Congress, FDR realized "that for the moment the Congress would deny him nothing," in view of the plight of the country.[10] Yet, as historian Arthur M. Schlesinger, Jr., has observed, "the national legislature at this time contained strong, independent-minded and intelligent men and on occasions itself assumed the legislative initiative."[11] Nonetheless, during the Hundred Days, FDR led the executive branch, Congress, and, not without significance, the electorate. "Congress and the country," writes Schlesinger, "were subjected to a presidential barrage of ideas and programs unlike anything known to American history."[12]

In approximately three months' time of continuous congressional session, "Franklin Roosevelt sent fifteen messages to Congress, guided fifteen major laws to enactment, delivered ten speeches, held press conferences and cabinet meetings twice a week, conducted talks with foreign heads of state, sponsored an international

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[4] The text of the "bank holiday" proclamation appears at 48 Stat. 1689; the text of the Trading with the Enemy Act appears at 40 Stat. 411.

[5] William E. Leuchtenburg, *Franklin D. Roosevelt and the New Deal, 1932-1940* (New York: Harper and Row, 1963), pp. 43-44.

[6] 48 Stat. 1.

[7] 48 Stat. 1691.

[8] Booth Mooney, *Roosevelt and Rayburn: A Political Partnership* (Philadelphia: J. B. Lippincott, 1971), p. 44.

[9] Ibid., pp. 45-55.

[10] Rexford G. Tugwell, *The Democratic Roosevelt* (Baltimore: Pelican Books, 1969), p. 273.

[11] Schlesinger, *The Coming of the New Deal*, p. 554.

[12] Ibid., p. 20.

conference, made all the major decisions in domestic and foreign policy, and never displayed fright or panic and rarely even bad temper," according to Schlesinger.[13]

The cooperation between the President and Congress during Roosevelt's first year in office produced, by one historian's estimate, "the most extraordinary series of reforms in the nation's history."[14] The experience also established, in another historian's view, "that the President was the unifying force in lawmaking."[15] "The Chief Executive was Chief Legislator," agreed political scientist James MacGregor Burns. "It was only at the level of the presidential office that party interests, the crisscrossing legislative *bloc*s, and the bustling bureaucrats were given some measure of integration in meeting national problems."[16] Finally, after a close analysis of FDR's legislative leadership during his first year as President, political scientist Sylvia Snowiss concluded that the Hundred Days "remains one of the most productive congressional sessions in American history." Noting "the President maintained an extraordinary degree of control and direction over the substance of the program," she attributed his success in this regard to "picking up cross-party support where available, threatening veto in cases where sufficient support was unattainable and compromise considered unacceptable, and compromising adroitly when necessary and feasible."[17]

Dwight D. Eisenhower

Dwight D. Eisenhower was inaugurated on January 20, 1953. Carrying 39 states in his election, he received 442 electoral votes, compared to 89 for Adlai E. Stevenson. Eisenhower's party captured both congressional chambers with majorities of 48-47-1 (the minority included one independent) in the Senate and 221-212 in the House. The first session of the 83rd Congress began on January 3, 1953, and adjourned on August 3, having lasted for 213 days.

The nation found itself faced with a lingering war in Korea that had gone to stalemate in 1952 and accompanying economic jitters at home. Charges of corruption and internal Communist subversion were leveled at the departing Truman Administration, which some viewed as having perpetuated FDR's control of the White House to a total of 20 years. These factors, plus the appeal of a popular war hero as the opposition candidate, fostered a desire for change within the electorate. Eisenhower subsequently received the largest popular vote for a winning President.

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[13] Ibid., p. 21.

[14] Leuchtenburg, *Franklin D. Roosevelt and the New Deal*, p. 61.

[15] Edgar Eugene Robinson, *The Roosevelt Leadership, 1933-1945* (Philadelphia: J. B. Lippincott, 1955), p. 156.

[16] James MacGregor Burns, *Roosevelt: The Lion and the Fox* (New York: Harcourt, Brace, Jovanovich, 1956), p. 175 (emphasis in original).

[17] Sylvia Snowiss, "Presidential Leadership in Congress: An Analysis of Roosevelt's First Hundred Days," *Publius*, vol.1, 1971, p. 83.

During Eisenhower's eight years as President, Congress would be under his party's control only at the outset of his administration, during its first two years. However, even the situation in 1953 was not particularly promising. By Eisenhower's own admission, "we were obligated to keep pledges I had made in the campaign, and to follow through on the recommendations submitted in my State of the Union message on the 2nd of February."[18] This was the basis of his legislative program for his first year as President.

Eisenhower had beaten his party's Senate leader, Robert A. Taft (R-OH), for the presidential nomination, which had left some bitter feelings. Furthermore, many in his party's congressional leadership were far more conservative than he, and, due to the long tenure of Presidents Roosevelt and Truman, had little familiarity "with either the techniques or the need of cooperating with the Executive" when of common partisanship.[19] Finally, as he later recorded in his memoirs, he was aware of the precarious hold his party had on the legislature:

> When the Eighty-third Congress assembled on January 3, 1953, for its first session, the Republicans had a majority of only eleven votes in the House (221 Republicans, 210 Democrats, one independent; three of the 435 seats were vacant). A shift of six Republican votes on an issue could cause the Democrats, if they held solid, to prevail. In the Senate the Republican margin consisted of just one man: forty-eight Republicans assembled on one side of the aisle, forty-seven Democrats on the other; one independent, former Republican and future Democrat Wayne Morse of Oregon, would vote with the Republicans on few issues.[20]

Fortunately for Eisenhower, he quickly reached a cooperative working arrangement with Taft, as well as most of his party's other congressional leaders. Furthermore, he established a White House office of congressional liaison—the first President to do so formally—under the direction of his old friend, General Wilton B. Persons, "a master of diplomacy and compromise," whose staff "proved adept at the delicate task of exerting influence without bruising egos on Capitol Hill."[21] As for his own tactics, "Eisenhower eschewed public confrontation in favor of shrewd lobbying, private negotiation and, when necessary, behind-the-scenes pressure."[22]

The President, not always happily, built voting blocs for his proposals, with the result that, "during 1953 the Democrats were needed no less than fifty-eight times to succor the administration."[23] Reviewing the year, *Congressional Quarterly* concluded that "the first session of the 83rd Congress rolled up an impressive score for action on the President's program." Great strides had been taken in July, as Congress

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[18] Dwight D. Eisenhower, *Mandate for Change, 1953-1956* (Garden City, NY: Doubleday, 1953), p. 192.

[19] Ibid.

[20] Ibid.

[21] Chester J. Pach, Jr., and Elmo Richardson, *The Presidency of Dwight D. Eisenhower* (Lawrence, KS: University of Kansas Press), 1991, p. 50.

[22] Ibid., p. 49.

[23] Peter Lyon, *Eisenhower: Portrait of the Hero* (Boston: Little, Brown, 1974), p. 501.

moved toward an August 4 recess, and the President's legislative program continued to develop. "On July 1 Congress had completed action on eleven of President Eisenhower's 37 proposals," explained *Congressional Quarterly*. "By the end of the session the President had added seven more items to the list for a total of 44, and Congress had completed action on 21 more requests, boosting its total to 32."[24] In his diary, Eisenhower characterized the year's legislative accomplishments as being "in many respects very gratifying."[25]

John F. Kennedy

John F. Kennedy was inaugurated on January 20, 1961. Carrying 22 states in his election, he received 303 electoral votes, compared to 219 for Richard M. Nixon. Kennedy's party maintained its hold on both congressional chambers with majorities of 65-35 in the Senate and 262-174 in the House. The first session of the 87th Congress convened on January 3, 1961, and adjourned on September 27, having lasted for 268 days.

The newly approved 22nd Amendment to the Constitution left Eisenhower ineligible to seek a third presidential term in 1960. As a result, Eisenhower's Vice President, Richard M. Nixon, was successful in capturing the mantle as a candidate to succeed the incumbent. His opponent, Jack Kennedy, was a second-term Senator from Massachusetts.

According to Theodore H. White, the memorialist of the presidential campaign, 1960 was, above all, a year which found Americans emersed in "vague, shapeless, unsettling, undefinable national concern" about their identity.[26] In this atmosphere, Kennedy called for new and strong presidential leadership to reverse the nation's declining prestige abroad and to reinvigorate the lagging economy at home. Nixon vigorously defended the record of the Eisenhower Administration and lauded it as "something to build on." White offers the following comment on the outcome of the contest.

> In his election, John F. Kennedy was able to persuade enough Americans that their vague concerns were justified enough to require a change in leadership that might arrest those trends carrying America irresistibly to less noble ends than those for which men believed their fathers had come to this country. He could not define, nor did he try to define, what measures he would take to arrest the disturbing drift that might make other nations greater than America; nor did he define those sacrifices that his cheering crowds offered to accept. Dwight D. Eisenhower can be seen historically as the man elected to end the Korean War, which he did. Franklin D. Roosevelt can be seen historically as a man elected to reorganize and refresh the American economy in the year of its worst collapse. These were vivid tangible crises, in which

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[24] Congressional Quarterly News Features, *Congressional Quarterly Almanac, 83rd Cong., 1st sess.,1953* (Washington: Congressional Quarterly, 1954), p. 89.

[25] Robert H. Ferrell, ed. *The Eisenhower Diaries* (New York: W. W. Norton, 1981), p. 268.

[26] Theodore H. White, *The Making of the President 1960* (New York: Atheneum, 1961), p. 379.

> the American people required and received direct action of their elected leaders.

However, John F. Kennedy was inaugurated in 1961, to preside over a nation to which no crises were clear. The nation recognized, or at least it so indicated by its voting for him, that it sensed crisis—but crisis whose countenance was still unclear. If there were any mandate in the election of 1960, it was that the new President prepare for such an obscure crisis. [27]

Kennedy set about responding to the crises he thought were of concern to the American people, sending Congress 14 separate messages calling for new legislation during his first 10 weeks in office. More would follow. By the end of the year, 33 out of 53 of his major recommendations had received congressional approval, but a few important presidential measures had been weakened or blocked.[28]

Reviewing the year, *Congressional Quarterly* generally characterized the legislative legacy as "impressive in quality as well as quantity." However, it was also found that "this first encounter between a Democratic President and Congress was less than a smashing success, and, by adjournment it was apparent that Mr. Kennedy would face an uphill struggle in 1962."[29]

Writing for the *New Republic*, Helen Fuller thought Kennedy, compared with his predecessor and the 86th Congress, "worked miracles with the first session of the 87th, in the judgment of many fair-minded observers." However, she pointed out, the new President's legislative victories were the result of considerable strategic effort and coalition building, which took its toll. "The Democratic wheels were slowing down when the first session adjourned," she wrote. "Thereafter, compared with what President Kennedy asked for it, and what the country needed, the record of the 87th Congress was far from good."[30] Similar views had been expressed earlier by Sidney Hyman, writing for *The Progressive* magazine.[31] Finally, correspondent Carroll Kilpatrick, writing from the perspective of the final year of the Kennedy Administration, was much more critical and saw the Chief Executive giving ground, making "important concessions, and obtaining" far less than half a loaf on many measures enacted during 1961, which "all represented retreat on the President's part."[32]

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[27] Ibid., p. 378.

[28] James N. Giglio, *The Presidency of John F. Kennedy* (Lawrence, KS: University of Kansas Press, 1991), p. 120.

[29] Congressional Quarterly, *Congressional Quarterly Almanac, 87th Cong., 1st sess.* (Washington: Congressional Quarterly, 1961), p. 63.

[30] Helen Fuller, "Kennedy's First Congress," *New Republic,* vol. 147, Oct. 27, 1962, pp. 12-14.

[31] Sidney Hyman, "The President and Congress," *The Progressive*, vol. 25, December 1961, pp. 17-20.

[32] Carroll Kilpatrick, "The Kennedy Style and Congress,"in Aida DiPace Donald, ed., *John F. Kennedy and the New Frontier*, (New York: Hill and Wang, 1966), p. 53; this essay was

(continued...)

Lyndon B. Johnson

Lyndon B. Johnson took the presidential oath of office aboard Air Force One on November 22, 1963, following the assassination of President Kennedy earlier the same day. At the time, Johnson's party held sizeable majorities in both the Senate and the House. He was subsequently elected and inaugurated to a full term on January 20, 1965. Carrying 44 states in his election, he received 486 electoral votes, compared to 52 votes for Barry Goldwater. Johnson's party captured both congressional chambers with majorities of 68-32 in the Senate and 295-140 in the House. The first session of the 89th Congress began on January 4, 1965, and adjourned on October 23, 1965, having lasted 293 days.

The substantial majorities in both chambers were the largest in the 20th century for a President's party, except for FDR's early presidency (during the 73rd through 75th Congresses). This advantage enabled LBJ to take bold initiatives in new or controversial public policy areas, while withstanding a possible sizable defection of members of his own party on any one vote.

Johnson had remarkable success with Congress in passing major legislation during 1964 through 1965. He was probably surpassed in this regard only by FDR among Presidents of the 20th century. One study, for instance, found that nearly 88% of the congressional votes where Johnson took a clear stand were approved in 1964, his first full year in office following President Kennedy's assassination. In 1965, following his election victory, Johnson's approval rate increased to 93%. These totals far exceed those of Johnson's remaining years in the White House, as well as Presidents Kennedy and Jimmy Carter, whose party also controlled both houses of Congress.[33]

More important than these quantitative measures, however, was the qualitative dimension of Johnson's legislative initiatives. The breadth of their impact on society, significance for expanding federal government responsibilities and powers, and innovative character were reflected in the "War on Poverty" and the multi-faceted Great Society programs. These were designed to combat poverty and inequities among the poor, handicapped, and underprivileged, and to provide direction for the expanding urban areas. LBJ's proposals also extended to markedly expanding space and transportation programs and to protecting and enhancing the environment.

Specific pieces of major legislation included, in 1964, the Civil Rights Act, Urban Mass Transportation Act, Economic Opportunity Act, and Food Stamp Act.

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[32](...continued)
originally published in *Virginia Quarterly Review*, vol. 39, Winter 1963, pp. 1-11.

[33] Congressional Quarterly, *Congressional Quarterly Almanac, 96th Cong., 2nd sess., 1980* (Washington: Congressional Quarterly, 1981), pp. 17C-18C. Another study, using a different measure, found a similar level of success for LBJ by comparison to his predecessor: Congress approved more than 57% of Johnson's legislative requests in 1964 and nearly 69% in 1965; these exceeded JFK's rates of 48% in 1961, 45% in 1962, and 27% in 1963. *Congressional Quarterly Almanac, 89th Cong., 1st sess., 1965* (Washington: Congressional Quarterly, 1966), pp. 97-98.

Added to these, in 1965, were the Appalachian Regional Development Act, Elementary and Secondary School Education Act, Higher Education Act, Older Americans Act, Medicare and Medicaid, Voting Rights Act, Housing and Urban Development Act, Water Quality Act, Urban Mass Transportation Act, High Speed Ground Transportation Act, Demonstration Cities and Metropolitan Development Act, and several new conservation and environmental statutes.[34]

Johnson's "list of achievements in 1965," columnist Tom Wicker observed that August, "already read better than the legislative achievements of most two-term Presidents." Wicker suggested that it would be necessary "to go all the way back to Woodrow Wilson's first year to find a congressional session of equal importance."[35]

Historian Vaughn David Bornet credited Johnson's early success in large part to his ability to first "develop a program of legislation, then to forge the necessary coalitions to carry the bills, and finally to perfect the timing that would be crucial to pacing consistent achievement." Lyndon Johnson, according to Bornet, "used his enormous knowledge of the congressional mind to work out practical rewards and punishments—if those are the right words; and his were the decisions that built the congressional liaison staff into such a potent force." He excelled at knowing the "ones in Congress who could move bills or stop them, and the ones who would follow along."[36]

Similarly, political scientist Mark A. Peterson attributed Johnson legislative achievements to knowing "not to squander opportunities. LBJ was the quintessential politician, a political enthusiast, an indefatigable, perhaps fanatical, player of the game." Johnson "wanted to have things accomplished by what appeared to be a consensus," and was the "most knowledgeable and persuasive member of the congressional liaison team."[37] "There is," Johnson told biographer Doris Kerns, "but one way for a President to deal with Congress, and that is continuously, incessantly, and without interruption. If it's going to work, the relationship between the President and the Congress has got to be almost incestuous." A President, Johnson continued, has

> got to know them better than they know themselves. And then on the basis of this knowledge, he's got to build a system that stretches from cradle to the

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[34] Congressional Quarterly, *Congressional Quarterly Almanac, 88th Cong., 2nd sess., 1964* (Washington: Congressional Quarterly, 1965), pp. 88-89, 96; and *Congressional Quarterly Almanac, 89th Cong., 1st sess., 1965* (Washington: Congressional Quarterly, 1966), pp. 97--112.

[35] Quoted in Lyndon Baines Johnson, *The Vantage Point: Perspectives of the Presidency, 1963-1979* (New York: Holt, Rinehart and Winston, 1971), pp. 323-324. Also cited in Vaughn Davis Bornet, *The Presidency of Lyndon B. Johnson* (Lawrence, KS: Kansas, University of Kansas Press, 1983).

[36] Bornet, *The Presidency of Lyndon Johnson,* pp. 133-134.

[37] Mark A. Peterson, *Legislating Together: The White House and Capitol Hill from Eisenhower to Reagan* (Cambridge, MA: Harvard University Press, 1990), pp. 244-246.

> grave, from the moment a bill is introduced to the moment it is officially enrolled as the law of the land.[38]

His "most significant legislative breakthrough at the outset," others have suggested, "was to establish an image in Congress, as with the public, of presidential mastery over Congress."[39] A number of other forces also contributed to Lyndon Johnson's early legislative accomplishments. Part of the success was due to the two "beginnings" of his administration. The first occurred on November 22, 1963, when he succeeded to the presidency upon John F. Kennedy's assassination; the second occurred a year later, when LBJ was elected President by landslide proportions. Kennedy, importantly, had already helped to pave the way for the enactment of civil rights and social welfare legislation, not only by promoting the policies themselves, but also by seeking reform of the House Committee on Rules, which had been a roadblock to such legislation in the past. Johnson capitalized on these organizational changes, as well as on his predecessor's commitment to such causes.

Some of the Johnson initiatives, moreover, harkened to the Truman Administration, which, for instance, had raised the prospect of the government financing health care for the elderly and poor. Other proposals, such as in space exploration and transportation, had precursors in the Eisenhower Administration. Still others, especially in civil rights, had bases of support in all three previous presidencies.

Richard M. Nixon

Richard M. Nixon was inaugurated on January 20, 1969. Carrying 32 states in his election, Nixon received 301 electoral votes, compared to 191 for Hubert Humphrey, and one vote for independent George Wallace. The Democratic party retained control of the Senate with a majority of 57-43, and the House by a 245-188 majority. The first session of the 91st Congress convened on January 3, 1969, and adjourned on December 23, 1969, having lasted 355 days.

"When Richard Nixon became president in 1969, he was the first president in over one hundred years (since Zachary Taylor, in 1849, the last of the Whig presidents) to face opposition majorities in both houses of Congress at the start of his term."[40] He had been elected by less than one-half of one percent of the popular vote and with less than a majority of the votes cast. Nixon's 43.16% narrowly bested that of Humphrey (42.73%; third-party candidate Wallace had 13.63%).

It was a highly divisive time in American society. The 1968 presidential campaign itself reflected the diverse opinions regarding American participation in the

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[38] Doris Kearns, *Lyndon Johnson and the American Dream* (New York: Harper and Row, 1976), p. 226.

[39] Rowland Evans and Robert Novak, *Lyndon B. Johnson: The Exercise of Power* (New York: New American Library, 1966), p. 382.

[40] Michael A. Genovese, *The Nixon Presidency: Power and Politics in Turbulent Times* (New York: Greenwood, 1990), p. 35.

war in Vietnam, civil rights, race relations, and law-and-order. That year was also marred by the assassinations of Senator Robert F. Kennedy, the front-runner for the Democratic party presidential nomination at the time, and Martin Luther King, Jr., whose murder sparked riots in several major metropolitan areas.

Given these conditions, the Nixon Administration was apparently reluctant to invest its scarce political capital in a large number of legislative initiatives, particularly controversial and innovative ones. Instead, it focused on a relatively few priority items, along with judicial nominations.

Throughout 1969, Nixon "had difficulty establishing effective liaison with Congress." His legislative efforts were complicated by the fact that, "at times, he had trouble keeping members of his own party in line. Particularly in the Senate, Republicans opposed him on a number of issues." At the time, *Congressional Quarterly* reported that the "main issue separating the White House and Congress was national priorities. Moderates and liberals on Capitol Hill wanted to spend less for defense and more on education, health, and pollution control than the President had requested."[41]

As a consequence, Richard Nixon's record with Congress during his first year was mixed. *Congressional Quarterly* found that his "success rate" on congressional votes where the President took a clear stand was 74%—a rate that was lower than his three immediate predecessors (whose party controlled Congress in their first years): Lyndon B. Johnson, 88% in 1964, his first full year after assuming the presidency, and 93% in 1965, the year after his election victory; John F. Kennedy, 81% in 1961; and Dwight D. Eisenhower, 89% in 1953.[42]

"The first session of the 91st Congress, the sixth longest in history, adjourned with the lowest legislative output in 36 years."[43] Despite meeting for 355 days in 1969, Congress approved only 190 bills, all of which the President signed. This total was the lowest since 1933, when Congress approved 93 bills, but did so during a much shorter session of only 100 days. Part of the reason for the low amount of legislation in 1969 was the Nixon Administration's delay in sending its program to Capitol Hill, with many of the proposals not emerging until summer. Another part of the explanation was Congress's slowness in acting on Nixon's proposals by comparison to its response to Lyndon Johnson's measures.

Notwithstanding the relatively low productivity rate, some major legislative efforts proved successful. High priorities for the Nixon Administration were continuation of its anti-ballistic missile deployment program, approval of the draft lottery system, and retention of its plan to ensure minority hiring by contractors on

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[41] "A History of Nixon's Relations with Congress, 1969-73," *Congressional Quarterly Weekly Report*, vol. 31, Sept. 15, 1973, p. 2428.

[42] Congressional Quarterly, *Congressional Quarterly Almanac, 96th Cong., 2nd sess., 1980* (Washington: Congressional Quarterly, 1981), p. 17-C.

[43] Congressional Quarterly, *Congressional Quarterly Almanac, 91st Cong., 1st sess., 1969* (Washington: Congressional Quarterly, 1970), p. 77.

federal construction projects. Congress also enacted a sweeping tax reform bill, which was much more extensive than what the administration had requested initially.[44]

Supreme Court vacancies provided President Nixon with two appointment opportunities. The first, to appoint a successor to the retiring Earl Warren as Chief Justice, found a somewhat surprisingly easy path through the Senate, in light of the intense controversy surrounding Lyndon Johnson's earlier attempt to fill the position by elevating Associate Justice Abe Fortas. The Committee on the Judiciary unanimously reported the nomination of Warren Burger, and the Senate confirmed it on a 74-3 roll-call vote. The second was to replace Associate Justice Fortas, who had resigned after criticisms of his extra-judicial behavior and threats of impeachment. Conflict of interest charges, however, were raised against President Nixon's nominee, Clement Haynesworth; and the Senate rejected the nomination on a 55-45 roll-call vote.[45]

Several authors, commenting on Nixon's relationship with Congress, have argued that much of the opposition he faced on Capitol Hill could have been avoided. Rowland Evans, Jr., and Robert D. Novak, in their book, *Nixon in the White House: The Frustration of Power,* contend that, "despite his own four years in the House of Representatives, two in the Senate and eight years as the Senate's presiding officer, Nixon knew remarkably little about the workings of Congress and cared less." Furthermore, he "had no more stomach for face-to-face confrontations with Members of Congress than for those with anyone else."[46]

Political scientist Mark A. Peterson felt the Nixon Administration's slowness in assembling the "components of its first series of [domestic] legislative initiatives" meant that it forfeited the "benefits to be derived from swift action at the beginning of the term." Peterson also pointed out that critics of Nixon "charged that he was often unwilling to engage in the usual processes of bargaining associated with domestic politics." His "avoidance of compromise with opponents on the Hill" was seen by Peterson as a reflection of "Nixon's profound dislike of Congress, a sentiment shared by some of his staff. From the beginning of his administration, Nixon chose to pursue a confrontational relationship with an institution he felt was unlikely to heed his domestic agenda, limited though it was."[47]

Michael A. Genovese concurs with the opinion that "Nixon was never really a man of the Congress. He was never a congressional insider, didn't spend very many years in either chamber, and was never a legislative tactician." By not producing a legislative agenda early and "hitting the ground running and attempting to take advantage of the opportunity afforded new presidents in the honeymoon period, Nixon hit the ground stumbling and was never able to recover. The slim opportunity

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[44] Ibid., pp. 77-79.

[45] Ibid., pp. 126-127.

[46] Roland Evans, Jr. and Robert D. Novak, *Nixon in the White House: The Frustration of Power* (New York: Random House, 1971), pp. 106-107.

[47] Peterson, *Legislating Together,* pp. 248-249.

Nixon may have had was missed by his failure to go to Congress early with legislative proposals."[48]

Nixon, Paul Light has argued, was "not as prepared for the rigors of the presidential transition as were Kennedy and Johnson. In fact, Nixon's post election [domestic] planning was somewhat haphazard." He preferred instead "to concentrate his energies on foreign policy." Nixon "was not interested in the domestic agenda and did not participate in the early decisions." His "first hundred days may also have reflected a deliberate decision to slow down the domestic process." What Nixon apparently sought to do was "strike a balance between those who wanted immediate action and those who cautioned restraint."[49]

Jimmy Carter

Jimmy Carter was inaugurated on January 20, 1977. Carrying 23 states in his election, he received 297 electoral votes, compared to 240 for Gerald R. Ford. Carter's party retained control of the Senate with a 62-38 majority and the House by a 289-146 majority. The first session of the 95th Congress convened on January 4, 1977, and adjourned on December 15, 1977, having lasted 346 days.

Although he defeated an incumbent President, Carter became Chief Executive by a margin of less than two million votes out of 80 million cast, with most of his party's House candidates winning a larger share of the popular vote. Consequently, Carter was unable to claim a mandate for any particular policy initiatives or to take full advantage of the large Democratic majorities in both houses of Congress. He has come to be regarded by most students of the presidency as a relatively weak legislative leader who failed to capitalize on certain political advantages to develop a clear, consistent, and assertive legislative agenda. Illustrative of this view, political scientist Charles O. Jones has characterized the Carter term as the "Trusteeship Presidency." Jones found that President Carter demonstrated limited knowledge about the legislative branch; considered the necessity of coalition building and policy compromise unnatural, if not unacceptable; adopted an antipolitical attitude; and failed to surround himself with experienced staff in terms of legislative relations. Carter himself had no federal government service, his previous governmental experience being a state senator and the Governor of Georgia.[50]

Carter recognized that he reached the White House as an "outsider." In the first presidential election since the Watergate scandal, his campaign was predicated

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[48] Genovese, *The Nixon Presidency,* p. 36.

[49] Paul Charles Light, *The President's Agenda: Domestic Policy Choice from Kennedy to Carter (With Notes on Ronald Reagan)* (Baltimore, MD: Johns Hopkins University Press, 1982), p. 47.

[50] Charles O. Jones, *The Trusteeship Presidency: Jimmy Carter and the United States Congress* (Baton Rouge: Louisiana State University Press, 1988), pp. 1-9, 168-169. See also Tinsley E. Yarbrough, "Carter and the Congress," in M. Glen Abernathy, Dilys M. Hill, and Phil Williams, eds., *The Carter Years: The President and Policy Making* (New York: St. Martin's Press, 1984), pp.165-191.

"on the very popular political theme that I was not part of the Washington 'mess'."[51] This broad characterization covered Congress and members of his own political party, if only implicitly and indirectly; and the charge indicted programs and agencies which Congress and his own Democratic party had endorsed for years, if not decades.

At the outset of his administration, as Nigel Bowles notes, "Carter's leverage over members of Congress" was inhibited by his winning but 51% of the popular vote and the smallest Electoral College margin since 1912. Most "House Democratic candidates running at the same time won a larger share of the popular vote than their nominal party leader. They averaged 56.2 percent of the total poll, and led their president (by between 4 and 9 percentage points) in every region of the country."[52] Similarly, Mark Peterson suggests that the election denied Carter "a clear mandate and the influence of congressional coattails."[53]

The result, according to Jimmy Carter's own estimate, was a brief "one week honeymoon with Congress."[54] As an indication of the unharmonious marriage between Congress and the President, Carter's "success rate" on congressional votes where he took a clear stand was only 75.4% in 1977, his first year in office. By comparison, other recent Democratic Presidents (whose party also controlled both chambers of Congress) had higher scores early in their administrations.[55]

Carter, in the opinion of Tinsley E. Yarbrough, was "not only a Washington outsider," but "also outside the mainstream of his own political party." Although his approach appealed to voters, "liberal Democrats in the Congress were alarmed that he was rejecting basic Democratic positions and embracing conservative causes."[56] Dom Bonafede of the *National Journal,* writing in November 1977, identified several key reasons for Carter's troubles with the first session of the 95th Congress. These included:

> faulty leadership at both ends of Pennsylvania Avenue; ineptness by Administration lobbyists; inexperience by the Carter group; a rejuvenated Congress bent on maintaining its position *vis-a-vis* the White House; a determination to deflate a President who ran against Washington; an overloaded White House legislative agenda; a tendency by the President to moralize on most issues; a reluctance by Carter to compromise until the last hour; a lack of administrative priorities; a White House untutored in the way business is conducted in Washington and neglectful of the niceties and

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[51] Jimmy Carter, *Keeping Faith: Memoirs of a President* (New York: Bantam, 1982), pp. 63, 68.

[52] Nigel Bowles, *The White House and Capitol Hill* (Oxford, UK: Clarendon, 1987), pp. 190-191.

[53] Peterson, *Legislating Together,* p. 254.

[54] Carter, *Keeping Faith,* p. 65.

[55] Congressional Quarterly, *Congressional Quarterly Almanac, 96th Cong., 2nd sess., 1980,* p. 17C.

[56] Yarbrough, "Carter and the Congress," p. 178.

protocol that cushion harsh political competition; the erosion of party discipline[57]

Another allegation was that "Carter's cool, analytical and precise nature [did] not lend itself to the backslapping camaraderie that is almost indigenous to Congress."[58]

A member of Carter's White House staff has suggested that one of their greatest problems during 1977 "was the absence of a legislative strategy." Every bill "seemed to receive equal billing and Congress had no clue to what (the Administration) wanted most."[59]

Jimmy Carter did, however, have some notable legislative achievements in 1977. Congress agreed to his proposal to establish a new Department of Energy and, with some substantial modifications, to several environmental protection laws, including the Clear Air Act Amendments, the Clean Water Act, and the Surface Mining Control and Reclamation Act. Carter was also successful in his housing and urban aid plans with passage of the Housing and Urban Development Act of 1977. Other legislation increased the minimum wage appreciably (from $2.30 to $3.35 an hour) and cut taxes substantially. Also, at his request, presidential reorganization authority, which had expired four years earlier, was restored.[60]

Ronald Reagan

Ronald Reagan was inaugurated on January 20, 1981. Carrying 44 states in his election, Reagan received 489 electoral votes, compared to 49 votes for Jimmy Carter, and no votes for independent John Anderson. Reagan's party gained control of the Senate with a majority of 53-47, while the Democrats retained control of the House with 242-192 seats. The first session of the 97th Congress convened on January 5, 1981, and adjourned on December 16, 1981, having lasted 347 days.

Reagan entered office with the advantage, as political scientist Mark A. Peterson points out, of "having defeated an incumbent president and at the same time having helped to elect many of his fellow partisans to Congress." Reagan "was the first Republican occupant of the White House since the initial term of Dwight Eisenhower to benefit from his party's control of at least one house of Congress." Understandably the "new Republican majority in the Senate was eager to use its power to advance the interests of its standard-bearer." On the other side of the Capitol, the Republican minority had gained 33 seats and was able to join with conservative Democrats "to give Reagan a working philosophical majority" in the House of Representatives as well. As a consequence, he "profited from a political

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[57] Dom Bonafede, "Carter and Congress—It Seems That 'If Something Can Go Wrong, It Will'," *National Journal*, vol. 9, Nov. 12, 1977, p. 1759.

[58] Ibid., p. 1760.

[59] Peterson, *Legislating Together*, p. 256.

[60] Congressional Quarterly, *Congressional Quarterly Almanac, 95th Cong., 1st sess., 1977* (Washington: Congressional Quarterly, 1977), pp. 12-13, 65A-70A.

setting far superior to those either Nixon or Ford had encountered," and arguably one more "advantageous than that which faced Jimmy Carter."[61]

The net increase of 33 Republicans seats in the House "was the greatest in a presidential election since 1920." The Senate results were even more stunning, however, since no one had predicted such an occurrence. Charles O. Jones saw the 1980 "presidential and congressional elections as representing a package deal. The Reagan victory was decisive, there seemed to be 'nontrivial coattail effects', and the policy message was unambiguous. Even the Democrats and liberals detected a conservative tide in the nation."[62] Liberal columnist Anthony Lewis agreed that the "1980 election reflected a profound and general turn to conservatism in this country."[63]

"There was," Professor Jones reasoned, "a receptive mood for giving the President a chance, even though to do so was to invite dramatic change." Remarkably, "this attitude even carried forward to the partisan Speaker of the House of Representatives, Thomas P. O'Neill, Jr. of Massachusetts."[64] Although the Democratic party remained in the majority in the House, it had lost 33 seats in the 1980 election. A key portion of Ronald Reagan's initial success with Congress, particularly on innovative or controversial measures, as *Congressional Quarterly* stressed, came from so-called "Boll Weevils," mostly southern Democrats who endorsed Reagan's stands. Their votes were especially important for the defense buildup and supply-side economics programs.[65]

Ronald Reagan's dealings with Congress during his first year in office has been likened to FDR's Hundred Days.[66] An important factor in his legislative successes in 1981, political scientist Nelson W. Polsby has suggested, was that he "took pains to court rather than ignore Congress," as Jimmy Carter had done four years earlier.[67] He demonstrated respect for Congress from the outset. During his first year in office,

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[61] Peterson, *Legislating Together*, pp. 261-262.

[62] Charles O. Jones, "Ronald Reagan and the U.S. Congress: Visible-Handed Politics," in Charles O. Jones, ed., *The Reagan Legacy: Promise and Performance* (Chatham, NJ: Chatham House, 1988), pp. 32-33.

[63] Anthony Lewis, "The Tidal Wave," *New York Times*, Nov. 6, 1980, p. A-35.

[64] Jones, "Ronald Reagan and the U.S. Congress," p. 33.

[65] Congressional Quarterly, *Reagan's First Year* (Washington: Congressional Quarterly, 1982), p.75.

[66] David Brady and Morris P. Fiorina, "The Ruptured Legacy: Presidential Congressional Relations in Historical Perspective," in Larry Berman, ed., *Looking Back on the Reagan Presidency* (Baltimore, MD: Johns Hopkins University Press, 1990), p. 269.

[67] Nelson W. Polsby, "Some Landmarks in Modern Presidential Congressional Relations," In Anthony King, ed., *Both Ends of the Avenue: The Presidency, the Executive Branch and Congress in the 1980s* (Washington: American Enterprise Institute, 1983), p. 17.

Congress found Ronald Reagan "to be approachable; a willing participant in support of his legislation (if seldom conversant with the details)."[68]

Professor Jones has attributed a great deal of Reagan's early success to "visible-hand politics," promoting "public perceptions about his political sagacity" while allowing "others to orchestrate activity behind the scenes."[69] The first session of the 97th Congress has been described as "a great personal triumph for Reagan. Congressional approval of his plans was due largely to his own efforts and strength." "Reagan himself was the administration's best lobbyist."[70] Jones credited President Reagan with playing the central role in his personal triumph, which was also greatly assisted "by an extraordinarily effective White House political operation. A strategy was developed and executed for taking advantage of the favorable political conditions."[71] During his first year, he focused attention on certain issues and policies, investing his political capital in these items and not spending it on others (for instance, on such social issues as prayer in the public schools).

President Reagan, in the words of the British scholar Nigel Bowles, "successfully fused policy prescription with politics. His first few months in office marked a sudden surge of presidential leadership of Congress and country which two years earlier had seemed an impossibility." The result was "a burst of policy change and political success, carefully planned and executed, [which] has few parallels in the history of the modern presidency.[72] Reagan's success, according to Bowles, resulted from an "imaginative legislative strategy supplemented by his own remarkable effective lobbying, and the support of an outstanding legislative liaison staff."[73]

By the end of his first year in office, others have suggested, "he had shown that an elderly, 'laid-back' chief executive could, through a combination of circumstances and activities—an apparent electoral mandate, the swift initiation of a new legislative programme, partisan and ideological majorities in Congress and the adept massage of public opinion—effect radical change in public policy."[74] Michael J. Malbin, in an August 1981 *National Journal* article, attributed Reagan's success to using "rhetoric to persuade the public directly," and then doing "his own grass-

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[68] Jones, "Ronald Reagan and the U.S. Congress," p. 37.

[69] Ibid., p. 31.

[70] Congressional Quarterly, *Congressional Quarterly Almanac, 97th Cong., 1st sess.* (Washington: Congressional Quarterly, 1982), p. 14.

[71] Jones, "Ronald Reagan and the U.S. Congress," p. 39.

[72] Bowles, *The White House and Capitol Hill*, p. 217.

[73] Nigel Bowles, "Reagan and Congress," in Joseph Hogan, ed., *The Reagan Years: The Record in Presidential Leadership* (Manchester, UK: Manchester University Press, 1990), p. 94.

[74] John D. Lees and Michael Turner, "The First Four Years in Retrospect," in John D. Lees and Michael Turner, eds., *Reagan's First Four Years: A New Beginning?* (Manchester, UK: Manchester University Press, 1988), p. 231.

roots lobbying of Congress."[75] A *U.S. News & World Report* survey in October found that "most Democrats joined with virtually all Republicans in rating Reagan as the strongest President to come along in many years." He "was rated as a 'strong' President by 86 percent of participating lawmakers," and "received particularly high grades for his effectiveness in dealing with Capitol Hill. Some 93 percent of the respondents rated him 'very effective' with Congress." "Reagan's most potent asset, according to an overwhelming majority of lawmakers responding, [was] 'his ability to marshal public support for his program'."[76]

George H. W. Bush

George H. W. Bush was inaugurated on January 20, 1989. Carrying 40 states in his election, he received 426 electoral votes, compared to 111 votes for Michael Dukakis. The 101st Congress, which counted small losses by the President's party, had opposition majorities of 55-45 in the Senate and 260-175 in the House. It convened for its first session on January 3, 1989, and adjourned on November 22, having lasted 324 days.

Serving eight years as Ronald Reagan's Vice President, George Bush was the President's faithful assistant and heir—the first Chief Executive to succeed a predecessor of his own party since 1928 and the first sitting Vice President to be elected in his own right since 1836. Benefitting from both the popularity and the active help of President Reagan in his campaign, Bush promised more of the peace, widespread prosperity, and nationalism that the Reagan Administration had brought to the country. In electoral triumph, he quickly eliminated his opponent's early lead, and eventually swept the South, the Rocky Mountain jurisdictions, the Farm Belt, and every megastate except New York. Nonetheless, he could not significantly advance his party's political fortunes in Congress.

There was no pressing urgency for the new President to make great changes in the personnel or policies of his predecessor. Still, he had to establish his own administration and continue, if not expand, the primary programs of the Reagan regime. The result was indecisiveness about how to proceed. As *Congressional Quarterly* noted, "Bush in his first year did not bring the kind of bold agenda and sense of a fresh start that usually makes Congress more compliant to a new president's will."[77]

Relations with Congress began cordially, with gestures of courtesy and allusions to bipartisan cooperation. Gradually, the perception developed in Congress that, because the President was unsure about what he wanted, he had an uncertain legislative agenda. As *Congressional Quarterly* commented shortly before the first

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[75] Michael J. Malbin, "House Democratic Reforms Cut Both Ways," *National Journal*, vol. 35, Aug. 29, 1981, p. 1540.

[76] Courtney R. Sheldon, "How Reagan Rates with Congress," *U.S. News & World Report,* vol. 91, Oct. 12, 1991, p. 27.

[77] Congressional Quarterly, *Congressional Quarterly Almanac, 101st Congress, 1st Session, 1989* (Washington: Congressional Quarterly, 1990), p. 22-B.

session of the 101st Congress concluded, "on a range of issues large and small, from catastrophic health insurance to home loan ceilings, the Bush administration has either sent mixed signals about its aims or taken positions that leave so much room for interpretation that many are unsure what the president wants."[78]

Part of the President's problems with Congress may have stemmed from what some legislators in his own party perceived to be an inexperienced congressional liaison staff considered "out of the loop" on important White House decisions. This condition served to explain, for some, why, for example, the President's Chief of Staff and the Administrator of the Environmental Protection Agency sent Congress contradictory messages concerning pending legislation on clean-burning fuels.[79]

Others attributed the problem to the Reagan legacy and political expediency. "The failure of the Bush administration to develop any grand overview or national blueprint," wrote conservative columnist Kevin Phillips in October 1989, "has been a predictable consequence not just of George Bush's own compromise-oriented personality, but of the inevitable restraints on a vice president following several terms of his own party in the White House." Such Presidents, he contended, "do not seek to identify national problems because in doing so, they would largely be identifying their own party's failings."[80]

In the first two months of 1990, with the second session of the 101st Congress underway, several impressionistic assessments of the President's first year were offered. In the pages of *Fortune* magazine, he received a report card average of B- with a high mark in foreign policy and an *incomplete* in budget balancing. Rather than hitting the ground running, "Bush walked—and ended up turning in a fairly strong performance," it was thought.[81] Contrastingly, *The Economist* editorialized that President Bush "proposes little and opposes much." He was, in its assessment, "a president who spends his time avoiding domestic entanglements."[82]

Business Week contended that 1989 "was the kind of first year Presidents dream of but rarely achieve." While congressional relations were not the only basis for this view, the magazine did say that President Bush "humbled a Democratic

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[78] Janet Hook and Chuck Alston, "Mixed Signals, 'Agenda Gap' Plague Bush's First Year," *Congressional Quarterly Weekly Report*, vol. 47, Nov. 4, 1989, p. 2921.

[79] Andrew Rosenthal, "Bush's Ties to Congress Show Strain," *New York Times*, Oct.16, 1989, p. B10.

[80] Kevin Phillips, "George Bush and Congress-Brain-Dead Politics of 1989," *Washington Post*, Oct. 1, 1989, p. Dl.

[81] Lee Smith, "How George Bush Did as a Freshman," *Fortune*, vol. 121, Jan. 1, 1990, pp. 79-80.

[82] Editorial, "Homework for Bush," *The Economist*, vol. 314, Jan. 20, 1990, p. 15.

Congress that thought it could force him to raise taxes," and pointed out, somewhat curiously, that his "modest domestic agenda offers few chances for failure."[83]

Assessing the 1989 legislative record, *Congressional Quarterly* concluded that "George Bush fared worse in Congress than any other first-year president elected in the postwar era." In its annual study of voting patterns, *CQ* found that "Bush won only 63 percent of the roll calls on which he took an unambiguous position in 1989." Moreover, it was noted that Bush "came to office with a limited agenda, not a blueprint to transform the work of his predecessor. So if Congress didn't give him much," observed *CQ*, "it was in part because he asked for little."[84]

Finally, political scientist James Pfiffner saw the President's approach to Congress in his first year as being one of "compromise, not confrontation," saying:

> The Bush presidency in its first year might be characterized as one of consolidation, seeking a "new balance," not confrontation and change. Consolidation was necessary for three reasons: the "Reagan revolution" had worked itself out, the continuing huge deficits precluded large scale new programs, and the continued Democratic control of Congress made compromise part of the price of governing.[85]

Agreeing with this overview, political scientist Barbara Sinclair wrote: "Facing a Congress firmly in the control of the opposition party, unable credibly to claim a policy mandate, and constrained by the big deficit, Bush proposed a modest legislative agenda." Appealing to bipartisanship and constructive compromise, the President sought to "build bridges" to Congress, particularly the Democratic leaders. For both sides, "the best strategy for dealing with the other was cooperation and compromise."[86]

> In sum, although compromise was the preferred strategy for Bush and for congressional Democrats, it was dictated more by limited resources than by a broad-ranging coincidence of interests. Consequently, deviations from the strategy of compromise were frequent. Tensions between the imperative to compromise in order to enact legislation—to get a bill—and incentives to defect from that strategy characterized relations between Bush and Congress during the 101st Congress. [87]

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[83] Douglas Harbrecht with Paula Dwyer, "George Bush's Winning Streak," *Business Week,* Jan. 22, 1990, p. 26.

[84] Congressional Quarterly, *Congressional Quarterly Almanac, 101st Cong., 1st sess., 1989,* p. 22-B.

[85] James P. Pfiffner, "Establishing the Bush Presidency," *Public Administration Review,* vol. 50, January 1990, p. 70.

[86] Barbara Sinclair, "Governing Unheroically (and Sometimes Unappetizingly): Bush and the 101st Congress," in Colin Campbell and Bert A. Rockman, eds., *The Bush Presidency: First Appraisals* (Chatham, NJ: Chatham House, 1991), pp. 160-162.

[87] Ibid., p. 163.

William J. Clinton

William J. Clinton was inaugurated on January 20, 1993. Carrying 31 states and the District of Columbia, he received 370 electoral votes, compared to 168 votes for George H. W. Bush. The 103rd Congress, which counted small losses by the President's party, seated 110 new House members and 13 new Senators. Democrats held majorities of 258-176-1 in the House and 57-43 in the Senate. The new Congress convened its first session on January 5, 1993, and adjourned on November 26, having lasted 326 days.

Bill Clinton came to the presidency from the governorship of Arkansas, with no federal experience, and with 42.95% of the popular vote. (Bush received 37.40% and independent H. Ross Perot received 18.86%.) A Rhodes scholar and a graduate of the Yale University Law School, Clinton ran unsuccessfully for the House in 1974, was elected state attorney general in 1977, and became governor in 1979. Defeated for reelection in 1980, he returned to the governorship in 1982, and continued to hold the office until his presidential victory.

Clinton biographer David Maraniss has written that the new President, in the activist tradition of FDR, "intended to enact an economic package within the first three months. Then, at the end of his Hundred-Day Dash, he planned to unveil a universal health insurance plan that could define his presidency and assure his place in history." However, this, as Maraniss explains, did not occur.

> The debate over the economic package dragged on through spring 1993 into summer. The health care proposal, the responsibility of a task force chaired by First Lady Hillary Clinton, was not ready as promised at the beginning of May, and even if the completed drafting of health care legislation had been completed, the president and his aides had decided to postpone its introduction. Starting with Clinton's first day in office, the traditional honeymoon that new presidents usually receive from the press and the public was virtually absent as central issues of public policy were subsumed by minor tempests.[88]

The first of these minor tempests occurred with Clinton's nominee to the position of Attorney General. Connecticut lawyer Zoe E. Baird was withdrawn from consideration on the President's second day in office after it was disclosed that she and her husband had failed to pay taxes for a Peruvian couple they had hired as household help. Clinton's White House staff had considered the matter insignificant and not something to thwart the nomination. However, subsequent public protest to the White House and Congress proved otherwise. The controversy threatened to recur in early February when it was reported that U.S. District Court Judge Kimba M. Wood was the new choice for Attorney General. President Clinton quickly indicated that no decision on a nominee had been made, and the judge withdrew her name from consideration after it was disclosed that her baby sitter had been an illegal alien during

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[88] David Maraniss, "William J. Clinton," in Henry F. Graff, ed., *The Presidents: A Reference History*, 2nd edition (New York: Charles Scribner's Sons, 1996), p. 619; see also David Maraniss, *First in His Class: A Biography of Bill Clinton* (New York: Simon and Schuster, 1995).

one year in her employ. These incidents not only reflected poor staff work on behalf of the new President, but also were embarrassing for him in view of his campaign pledge that his administration would enforce higher ethical standards than its predecessors.

Another controversy that quickly exploded upon the President's policy agenda and preoccupied his attention was the status of homosexuals in the armed forces. During the election campaign, candidate Clinton made no secret of his plan to lift the existing ban on homosexuals serving in the military, but in a contest dominated largely by concern about the future of the national economy, the issue of gays serving in the armed forces received little attention. As president-elect, Clinton was solidly on record in favor of a controversial policy that had not been explored or debated in the political arena. Moreover, the issue exposed a deep division between a Commander in Chief who had never served in the armed forces and the military establishment. Having run as a centrist Democrat, Clinton was now entering the White House advocating one of his party's most liberal policy positions.

Immediately embattled over the issue with congressional conservatives from both political parties, President Clinton announced a compromise at the end of January: a six-month delay in lifting the ban; a suspension of actions against gay personnel, excepting cases of improper conduct; and a review of the ban by the Secretary of Defense with a view to new policy expressed in a draft executive order. Eventually, in mid-July, Clinton announced a policy, to be implemented by the Department of Defense, that individuals could neither be barred from joining the armed forces nor discharged solely because of their homosexuality. However, the controversy surrounding this issue had complicated, if not, in some aspects, frustrated, the President's policy agenda during his first six months in office.

By the time Clinton marked the completion of his Hundred Days in late April, he had successfully installed all of his Cabinet members, the Attorney General being the only problematic appointment. Legislative victories included a congressional budget resolution based on his budget plan and a family leave law. However, his economic stimulus package had been defeated on April 21. Controversy again surrounded the Clinton Administration with the May 19 firing of the White House travel office staff. Another setback came in early June when the President withdrew the nomination of law professor Lani Guinier to head the civil rights division of the Department of Justice. She had come under criticism for views expressed in her writing on minority rights. Just before the congressional recess in August, Clinton, by razor-thin votes, saw the budget reconciliation legislation containing his tax and spending policies, gain approval.

Upon returning in September, Congress cleared another Clinton priority—a national service program for American youth. The President, with a public approval rating at or below 50%, set two goals for the remainder of the first session. The first of these, unveiling his national healthcare reform plan, he accomplished on September 22 with a nationally televised speech, supported by carefully orchestrated publicity to guarantee media coverage. However, the proposed plan soon attracted attention not only for its promise of universal healthcare coverage, but also for its massiveness and complexity.

The second goal that President Clinton set was securing approval of the North American Free Trade Agreement (NAFTA). Negotiated during the administration of President George H. W. Bush, the agreement was under heavy attack from organized labor. Moreover, the two top leaders of the Democrats in the House were also opposed, and the Speaker's support appeared to be far less than enthusiastic. By its own counts, the Clinton Administration was at least 100 votes behind in September. Ultimately, the hard work of persuasion paid off. On November 17, NAFTA was given House support on a 234-200 vote, an extraordinary victory for the President. As the first session of the 103rd Congress moved toward closure, the administration was successful in obtaining an extension of unemployment insurance; enactment of the Brady bill, requiring a five-day waiting period for the purchase of a handgun; and approval of campaign finance reform legislation. During the year, President Clinton did not cast a single veto, the first time a Chief Executive had abstained from using this authority since 1969 or 1979.

Assessing President Clinton's legislative accomplishments during his first year in office, Burt Solomon of *National Journal*, writing just before the NAFTA victory, thought that "Clinton has hit few home runs." His budget reconciliation package "fell short of the sweeping rearrangements in policy that Reagan's tax and spending cuts reflected in 1981." The President's national service program was viewed as "a far cry" from his original proposal, "but might serve as a seed, its supporters hope, of something more. Otherwise," Solomon concluded, "his legislative record has amounted to signing a trio of bills that Congress had passed before but President Bush had vetoed."[89]

Such an assessment implies that the new President perhaps should have been more challenging and demanding of Congress. Political scientist Charles O. Jones, writing a few months later in the journal of the Brookings Institution, explained Clinton's approach to Congress in his initial year in office.

> Congress has, in recent decades, developed a capacity and taste for being actively involved in many phases of the policy process. The president has shown an extraordinary talent for identifying major issues, many of which have long been on the nation's agenda, and then for building public interest in them and maintaining their priority status. Though he typically offers a plan, he also conveys the message that he is willing to bargain—quite unlike the less compromising stances of Jimmy Carter. Thus, those members of Congress who have grown accustomed to active policy roles can be satisfied that they retain influence in the new government.[90]

The political realities underlying this working relationship, explained political scientist Barbara Sinclair, were that "Bill Clinton won 43 percent of the vote in a three-way race; he ran behind most winning congressional Democrats; and his party

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[89] Burt Solomon, "White House Notebook: In Leaning on Congress, Clinton Uses Carrots Instead of Sticks," *National Journal*, vol. 25, Nov. 6, 1993, p. 2677.

[90] Charles O. Jones, "President Clinton and the Separated System," *Brookings Review*, vol. 12, Summer 1994, p. 45.

lost a few seats in Congress. With such figures," she proffered, "the political community is unlikely to perceive a mandate."[91] Nonetheless,

> Congressional Democrats, especially members of the House, who must run for reelection every two years, perceived their fate as tied to Clinton's legislative success. Democrats were eager to legislate, and most supported in broad terms Clinton's legislative agenda, many elements of which stemmed from congressional Democratic initiatives. Inevitably, however, different constituencies and different institutional vantage points give a president and the members of his party in Congress different perspectives and, often, different priorities. Moreover, in this case, both lacked the experience of such a working relationship. Clinton had no extensive Washington experience; most congressional Democrats had never served with a Democratic president.[92]

What worked best for Clinton and his congressional allies, particularly in the difficult efforts to secure the budget reconciliation legislation and obtain approval of NAFTA, was, in Sinclair's estimate, "a campaign to build public support, compromises and deals to win commitments from groups of members, and an enormous amount of one-on-one lobbying" by the President and his principal lieutenants.[93] Generally, she concluded: "The first months of the Clinton administration were a period of considerable policy accomplishment but frequent public relations woes."[94]

Those "woes" included the problems encountered in finding an acceptable nominee for the position of Attorney General and seeking equitable treatment of homosexuals in the armed forces. Regarding the latter, political scientist James Pfiffner comments:

> the issue dominated the headlines during Clinton's first weeks in office. As a result, it was perceived, mistakenly, as one of the president's foremost priorities. If the budget policy had been ready to go earlier, the political controversy would have been over economic priorities for the country, and the gay issue would have been put in perspective as one of several items on the Clinton agenda. Second, the fight got Clinton off to a shaky start with the military, already wary of a commander-in-chief who had avoided the draft during the Vietnam War. Finally, the public and vocal opposition of Senator Nunn indicated that the Democrats in Congress would be willing to challenge the new president on his policy agenda.[95]

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[91] Barbara Sinclair, "Trying to Govern Positively in a Negative Era: Clinton and the 103rd Congress," in Colin Campbell and Bert A. Rockman, eds., *The Clinton Presidency: First Appraisals* (Chatham, NJ: Chatham House, 1996), p. 92.

[92] Ibid., p. 96.

[93] Ibid., p. 110.

[94] Ibid., p. 100.

[95] James P. Pfiffner, "President Clinton and the 103rd Congress: Winning Battles and Losing Wars," in James A. Thurber, ed., *Rivals for Power: Presidential-Congressional Reations*

(continued...)

Indeed, writes Martin Walker, American bureau chief for Britain's *Guardian* newspaper, the attitude of Senator Sam Nunn (D-GA), chairman of the Committee on Armed Services, "licensed a kind of congressional revolt against his party's president, quickly exploited by the Republicans."[96] Also, giving support to Sinclair's view of what worked best for the President and his congressional allies, Walker offers the following comment regarding Clinton and the failure of his economic stimulus package to gain acceptance.

> He paid too little attention to Democratic moderates in the Senate, and permitted marginal questions like ending the ban on gays in uniform to balloon into a damaging controversy. He paid even less attention to the Republican moderates in Congress, and allowed the Republicans to heal their own deep splits and close ranks against his economic stimulus package. This mattered less for the package itself than for the symbolic effect of his first political setback, and the sign that the gridlock in Washington was set to continue.[97]

In his assessment of the new President, Pfiffner concludes that "Clinton's record with the 103rd Congress was decidedly mixed," finding "he enjoyed a high success rate on the roll-call votes on which he took a stand," but that, generally, "he did not do as well as he had hoped or many had expected. The failure of his health care reform initiative," writes Pfiffner, "was a major disappointment."[98] The defeat of the healthcare reform initiative occurred in 1994, but conditions for its demise, as Sinclair notes, were set during President Clinton's first year. It was unveiled in September, much later than had been anticipated, which seemingly diminished its status somewhat as a priority for the new administration. The actual legislative proposal, moreover, was presented to legislators in November, when Clinton, Congress, and the press were occupied with NAFTA. When the measure came under congressional consideration in 1994, "the opposition campaign had raised a host of doubts and reduced public support significantly." Ultimately, "the administration was criticized for writing a too-complex plan that was too hard to explain and for not responding forcefully enough to its critics."[99]

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[95](...continued)
(Washington: CQ Press, 1996), p. 173.

[96] Martin Walker, *The President We Deserve* (New York: Crown, 1996), p. 179.

[97] Ibid., p. 192.

[98] Pfiffner, "President Clinton and the 103rd Congress," p. 184.

[99] Sinclair, "Trying to Govern Positively in a Negative Era," p. 112.