

The Role of Earmarking in Modern Day Congress

By  
Charles Owen

A thesis submitted to the faculty of the University of Mississippi in partial fulfillment of  
the requirements of the Sally McDonnell Barksdale Honors College.

Oxford  
May 2014

Approved by:

---

Advisor: Dr. Jonathan Winburn

---

Reader: Dr. Marvin King

---

Reader: Dr. John Bruce

## Acknowledgements

I would like to thank my advisor Dr. Jonathan Winburn. He was incredibly helpful throughout the entire process and none of this could have happened without his dedication to the project. I would also like to thank my two readers Dr. John Bruce and Dr. Marvin King. I really appreciate all the time and guidance they provided. I would also like to thank my parents for not only putting me in this position in life, but for putting up with all of my stress. I wouldn't be where I am to day without them.

## ABSTRACT

CHARLES SCOTT OWEN: The Role of Earmarking in Modern Day Congress  
(Under the direction of Jonathan Winburn)

This thesis is meant to analyze the correlation between earmarks and bi partisan voting behavior in the United States Congress. I collected earmarks data for the 111<sup>th</sup> Congress in order to understand how much was spent on both solo and joint earmarks. I then used this data to create a list of the top 87 bi partisan earmark partners for the 111<sup>th</sup> Congress. After creating the list of partners, I analyzed their voting behavior to see how often these bipartisan partners voted together in the 111<sup>th</sup> Congress because earmarks were present during this session. I then used the same partnerships and calculated the percentage of times they voted together in the 112<sup>th</sup> Congress following the moratorium (ban) on earmarks. I then averaged all the percentages and realized there was a 3.5% drop in bipartisan voting behavior between the two sessions. I then determined which of the 87 bipartisan earmark partners' districts shared borders. After determining that 16 of the partners' districts did not share a boundary and 71 did, I performed another analysis comparing the voting percentages of those with shared borders and those without. The bipartisan partners who shared boundaries only experienced a 2.6 decrease whereas those partners who did share a border experienced a 7.3 percent decrease. While these numbers did indicate that this relationship deserved more analysis, this is not enough information or proof for any definitive conclusion. I feel that the data suggests that earmarks and bipartisan voting behavior may have a relationship, but more research would be necessary to come to any definite conclusion.

# Table of Contents

Chapter 1: Introduction.....	5
Chapter 2: Earmarks.....	10
Chapter 3:	
<i>Influences on Congressional Behavior</i> .....	14
<i>The Importance of Power and Influence on Representation</i> .....	21
Chapter 4: Analysis.....	24
Tables and Graphs.....	31
Conclusion.....	34
Bibliography.....	37

## Chapter 1: Introduction

The current political climate of America is one of extreme ideological difference and polarization. This divide is especially evident in Congress. While congress is mostly made up of only two main parties (Republicans and Democrats), the ideologies of it's members can vary; this can cause problems when it comes to any sort of agreement on issues. Also, the recent economic woes the United States have been going through have caused people to compromise even less and remain stubborn in their position. Media, too, has played a huge role in polarizing congress. With twenty-four hour news coverage and the increased popularity of wild and crazy opinionated talk show hosts, drama is always being stirred up between members of congress. I feel that one, often overlooked, aspect of the political climate, earmarks; may be used as a tool to bring members of Congress together.

Earmarks are defined as a part of the money allocated to an agency that a lawmaker or the President requested for a specific project (*CNN Money 2009*). Earmarks are essentially government money that members of Congress tack on to bills that go towards specific projects in the member's district to benefit the member's constituents. These earmarks provide all types of services to the districts they are allotted to and can often greatly help the image of the congressman or congresswoman who fought for them. Normally when Congress appropriates funds to various government agencies, the agencies are in charge of how to spend the money. Earmarks are different, because they

are used on specific projects. They don't really affect the amount spent as earmarks are," more about who decides how the money will be spent" (*CNN Money 2009*).

In 2010 when the Republicans regained control of the House of Representatives, they banned the practice of congressional earmarks all together. It all started in March of 2010 when Republicans adopted a yearlong ban on earmarks. That lasted until November 2010 when the 112<sup>th</sup> congress adopted an outright earmark ban (moratorium), continuing the one that they had in place. While earmarks only contributed to one half of one percent of the federal budget, the symbolic meaning of banning them was huge. It gave American's the impression that the Republican Party was sick and tired of wasteful government spending and had decided to do something about it (Greeley 2013).

Following the November 2010 ban of earmarks, a lot has gone on in the United States Congress. With a government shutdown, continued failure to pass a budget, false promises, and all time low approval ratings, it would be remiss to say things have gone well since the time of the ban. The appropriations process has taken a serious hit. Since the banning of earmarks, the incentive for congressman to serve on an appropriations committee has decreased since there is no money to hand out to their districts. This lack of incentive has made the committees much more partisan and divided, meaning it has become more and more difficult for them to get anything done because rather than attracting the influential bipartisan leaders of Congress, the committees have been plagued with more ideologically extreme members (Greeley 2013). Another downside to life without earmarks is the loss of spending power of Congress. Considering earmarks

made up such a small percentage of the federal budget, taking them away did nothing to reduce spending; instead it shifted decision making power away from the legislative branch and over to the executive branch (Greeley 2013). This shift means that rather than earmarks being divided out by elected members of Congress to their constituents, earmark like spending is being handled and controlled by unelected bureaucrats within the executive branch and office of the President. Essentially, banning earmarks could possibly be making it very difficult for members of Congress to work together, which in turn is making it very difficult for Congress to get anything done. Also, taking away the power of earmarks from Congress could possibly be putting more power in the hands of unelected bureaucrats in the Executive Branch therefore causing a checks and balance issue.

Basically, the United States Congress isn't working well anymore. No one can get along which means nothing can get passed and the general public suffers. While it is true that not all problems faced by Congress can be linked to the ending of earmarks, I believe that they could be a contributing factor.

The main goal of a member of Congress is to get reelected (Mayhew 1974). It is what they focus a vast majority of their energy on. Typically, if a member of Congress isn't seeking reelection it is because they are instead seeking a higher office. In 2007 between 90%-95% of incumbents sought reelection (Roberts, Vander Wielen 2007). Just simply wanting reelection is not enough to ensure the member their seat. They have to embark on long and tedious campaigns that can often be very expensive and burdensome.

They often times need generous donations from happy constituents and endorsements from high profile peers in order to win reelection. A great way for members to obtain money and support is through earmarks. Assigning money to specific projects within their district keeps their constituents happy and proves to them that their representatives care about them (Roberts, Vander Wielen 2007). This in turn can often lead to both monetary support through campaign donations as well as votes on Election Day. Also, supporting other member's earmark endeavors in Congress can usually lead to public support from those members during elections. Sometimes a big name endorsement can make or break an incumbent's election.

While in a representative democracy it is healthy for who is in Congress to change from time to time; one-term members typically provide very little benefit to the country as a whole. Not only do they not have enough time to really achieve anything, but with only one term under their belt, many members still do not understand how the whole system works (Roberts, Van Wielen 2007). Experience, which can often lead to more intelligent and bipartisan decision-making, takes time. It also take friends on the Hill, which old members tend to have many more of then new members. Things run much more smoothly on the Hill when everyone gets along. While ideologically it is impossible for everyone to agree on the same issue and vote the same way; members have been known to help a peer out when he or she needs it. Earmarks are the ultimate bargaining tool. Since earmarks are so important to member's constituents, they are also very important to the members themselves. This means that members will do a lot to gain



support for their specific earmarks, which can sometimes lead to looking for support across party lines. Essentially, the need for earmark support can create dialogue and friendship between members who normally would not work with one another. It also can create a sense of indebtedness among members, making them much more open to vote together on certain issues. The common denominator in Congress is reelection, everyone wants it and everyone understands how difficult it can be to get it (Roberts Vander Wielen). It can be obtained easier by pleasing constituents and peers, possibly through earmarks. Since everyone understands that, members are willing to help each other out across party lines and sometimes-ideological boundaries to get certain earmarks passed. When this happens it creates relationships, friendly or not, that help expedite and simplify the voting process in Congress thus bettering the lives of American citizens.

I argue the success of Congress to pass bills and generally conduct business relies partially on the existence of earmarks; and, therefore, is hindered by the 2010 ban. By analyzing data on the number of bipartisan partnerships within the House of Representatives of the 111<sup>th</sup> and 112<sup>th</sup> Congress, I will be able to see if my hypothesis is correct. During the 111<sup>th</sup> Congress, earmarks were permitted for members, however during the 112<sup>th</sup> session of Congress earmarks were banned. Using one session with earmarks and one without earmarks will allow me to test my hypothesis. I hypothesize the bipartisan voting will drop following the moratorium on earmarks. Before examining this relationship, I delve more deeply into the history and process of earmarks as well as the motives, challenges, and reasoning behind member decision-making.

## Chapter 2

Earmarks are provisions inserted into the text of a congressional bill or report that allocates money or a tax benefit for a specific project, program, or organization that circumvents any sort of merit-based or competitive allocation project. Members are able to do this at almost any part of the appropriations process. Whether it be during the budget proposal, the subcommittee, the full committee, the floor activity, or the House and Senate conference; legislators (and the President) are able to add on earmarks by calling them “Congressionally directed spending requests,” (or “Presidentially Directed Spending Items” in the case of the President.) Once added, the earmark cannot always be seen within the text of the piece of legislation. Rather, the earmarks are normally placed within the abridged “report” that uses laymen language to describe the actual reasoning of the bill. Placing the earmarks in the abridged “reports means that they often are not actually voted on by full committees or subcommittees. (“Earmarks and Earmarking: Frequently Asked Questions” 2014). Earmarks are, to say the least, controversial One main reason is that they only benefit state and/or local interests, private companies, universities, or non-profits. This essentially means that while earmark money comes from everyone, the benefits are only felt and seen by a small group. Many believe this to be unfair to those taxpayers who help pay for the earmarks but do not get to experience anything good from them. It is true, that in comparison with the United States incredible budget, earmarks are a minute part. With a growing deficit and more scrutiny over the

budget, many feel that the over \$15 billion spent on earmarks in 2010 was a bit excessive and wasteful (“Earmarks Map – 2010 Approved” 2010). While the money is pretty well dispersed across the states, the ones with the worst economies generally get the most money. States like Hawaii, West Virginia, and Mississippi have an incredible amount of earmark spending per capita. While it seems ludicrous to provide all this money to the states that contribute the least, without earmark spending, people and organizations of these states would suffer greatly. Due to their lack of wealth and small tax base; poorer states need this type of funding in order to function. With little worth, merit based allocation of funds generally doesn’t help them much.

The history of earmarks actually goes back as long as the history of Congress. Earmarks have technically been around since the 1<sup>st</sup> Congress when, in 1790, Massachusetts Congressman George Thatcher worked with Congress and President George Washington to earmark \$1,500 for the completion of the Portland Head Lighthouse. While they existed, earmarks did not really take off and become mainstream until the late 1980s. Then, in 1995, under the Republican controlled Congress, the number of earmarks increased drastically. During this time, lasting until about 2004, the amount of earmark funding tripled. They did not falter in popularity much until 2010 when Congress banned them. Throughout their entire history earmarks have caused controversy. Their supporters claim that since no additional funds are being spent earmarks are perfectly fine. Those who oppose them, however, say that while earmarks require no additional funding, the funding they do have is technically “stolen” from other

projects. Regardless of opinion on the matter, history has proven that earmarks have been a part of Congress since it was created; and in my estimation, perhaps contributing to its success.

The history of the earmark ban is much shorter and recent. It really began in 2010 when House Appropriations Chairman Dave Obey (D- WI) announced that the committee would no longer accept earmark requests for private entities. Following this announcement, the House Republican Conference adopted a one-year moratorium on submitting earmarks requests for legislators (“Earmarks and Earmarking: Frequently Asked Questions” 2014). This was not an entirely popular move, and four GOP House members submitted requests in defiance. For the remainder of the 111<sup>th</sup> Congress and the year, numerous attempts were made to create a bipartisan bill addressing the earmark situation but the bill was not added to the legislative calendar. These efforts, however, did lead to the development of an earmark database, which was released, by the House Transportation and Infrastructure Committee (“Earmarks and Earmarking: Frequently Asked Questions” 2014). This database is publicly accessible and covers all earmarks under their committee’s jurisdiction. In the next Congress (112<sup>th</sup>) the majority House Republicans extended the earmark moratorium to last throughout the 112<sup>th</sup> Congress, they included this in the “House Rules for the 112<sup>th</sup> Congress.” This was followed by a promise by Senate Republicans to abstain from requesting any earmarks as well as a promise from President Obama to veto any bill containing them. Senate Appropriations Committee Chairman Daniel Inouye (D-HI) also announced that for the fiscal years of

2011 and 2012 that the Senate Appropriations Committee would not accept any earmark requests. The moratorium was again extended for the 113<sup>th</sup> Congress with similar reasoning and support as the last two (“Earmarks and Earmarking: Frequently Asked Questions” 2014).

While Congress has taken major steps towards getting rid of earmarks, their efforts have not been able to completely stop the system of spending. Lawmakers are now turning towards executive branch officials for help. Members of Congress have been writing to these executive branch officials (lettermarking) and calling them on the phone (phonemarking) to try and convince them to support various projects. While this is not as direct as earmarking, it is still a way legislators have been able to achieve their personal goals and projects. (“Earmarks and Earmarking: Frequently Asked Questions” 2014). Earmarks have served an important role in Congress over the years and, while generally unpopular, they provide important resources throughout the country. Recent events show the ban while halting this process in the short term may only ultimately lead to even less transparent attempts at members accessing funds for their districts.

## Chapter 3

### *Influences on Congressional Behavior*

Being in Congress is not the easiest job in the world. Members are constantly under the microscope of the world, their every move watched and scrutinized. Every decision made and every vote cast effects someone within their district, which in turn effects their ability to keep their job. Reelection is their judgment of how well they are doing, and in many cases it consumes their work. The various opinions, ideologies, interests, and needs of those around them mean that no matter what, someone isn't going to be happy. Legislators are being influenced from just about everyone and everywhere, and staying true to themselves, their beliefs, and the beliefs of their constituents can often be more difficult than it seems. Congress is a very formidable climate; it takes a real drive to survive.

One of the biggest challenges faced by legislators is the public's ability to track their every move. Every event they attend, every hand they shake and most importantly every vote they cast is broadcasted to their constituents. Congressional voting is now researched and scrutinized more than ever. News sources such as Congressional Quarterly provide in depth coverage of Congress and members voting behaviors. They try and determine the true motivation behind certain votes, and this can be a difficult and very opinionated thing to do. Rating members of Congress is common among interest groups. The ratings are used by interest groups to determine friends and allies within Congress. They use these ratings as factors in decisions about campaign contributions

and in determining who they support. The ratings have even been known to influence the way a member of Congress votes. While many consider these ratings wonderful insights into congressional behavior, skepticism must be used when using them as moral indicators. No one really knows what a congressman or congresswoman is thinking except for the member themselves. Therefore using these rating systems for anything more than information on voting patterns is probably not wise (Roberts, Vander Wielen 2007).

Members of Congress are getting influenced from every direction at all times. Whether it is their constituents, interest groups, lobbyists, party leaders, the President, or their families, there are always people trying to tell them what they should do and how they should vote. This causes all members of Congress to act intelligently and strategically. Since decisions made by Congress literally effect everyone, it is not surprising that so many people and groups want to have a say in decisions (Roberts, Vander Wielen 2007). While these groups often preach a better world for all, many of them simply want to obtain earmark money for specific projects.

The connection between legislators and the constituents they represent is believed to be the most important force in congressional politics. Fortunately, the party system aids members because they usually represent constituent's beliefs similar to their own (candidates represent a party which represents certain beliefs). Constituents can range from intimate ones that the members personally know, to geographic ones that are just in an area within the members' district. With so many people relying on and watching a

members decision, they must make sure votes and actions don't come back to haunt them. Otherwise, political futures can be destroyed (Roberts, Vander Wielen 2007).

Measuring and perceiving constituencies of House members can often be a difficult task. It is difficult to break them up into different parts or groups. A good way to look at them is as a group of circles getting smaller and smaller until the smallest circle is right in the middle of all the ones that proceeded it (Fenno 1978). The district from which the legislator originates is the largest circle because it contains all possible constituents. This is the member's geographical constituency because it is a legally bound area of a state that the member represents. Within this geographical constituency there are also various demographic constituencies ranging from different socioeconomic classes to ideological groups. These demographics form to create a differently structured constituency for each member of Congress. Because each district consists of different combinations of these demographics, each legislator has a unique job to do in Congress (Fenno 1978). Another very important part of a member's constituency is the homogeneity or heterogeneity of it. Whether the district is homogenous (very similar and uniform) or heterogeneous (very diverse and different) effects the way the legislator behaves, votes, and seeks reelection. It also is going to effect the type and necessity of earmarks they seek. If there are many interests within the district, the representative is going to have many different people and opinions to please (Fenno 1978). Earmarks can help with this daunting task by spreading funds to various projects and thus being able to make different interests with different agendas happy. Often times in heterogeneous



districts, the different interests have little contact with one another and do not really care about one another's agenda (Fenno 1978). This is perfect for legislators to use earmarks to their advantage; they are able to please various interests without angering the others.

Another circle in a congressperson's constituency is his/her reelection constituency. These are the people in his or her district that the member of Congress feel will vote for him or her (Fenno 1978). Of course figuring this out usually begins by identifying party alignments; but mere party alignments are not the only thing member's look at. Independents, groups that have been helped (possibly through earmarks) or interests that have prospered under the representative's term, all may be included in a reelection constituency. Being able to identify this constituency is very important to legislators. It helps them identify where to campaign, where to spend money, and sometimes where in the district needs special attention. While this constituency is an important one, it is not always a clear one. Often times representatives find themselves in heated reelections that both scare and humble them. They learn that identifying election constituencies is both challenging and far from one hundred percent accurate (Fenno 1978).

The strongest circle in the constituency of a representative is the primary constituency (Fenno 1978). This circle is inside of the reelection constituency, which is inside of the geographical constituency. This group is essentially the distinction between a legislators weak supporters and strong supporters. Weak supporters are either those that follow party line or those that choose the 'lesser of two evils.' The strong supporters are,

naturally, those who fully back the candidate and will fight for his or her election. These strong supporters make up the primary constituency of the legislator (Fenno 1978). Members find comfort and solace in this primary constituency, allowing them to really get to know the wants and needs of their supporters. Elections can sometimes allow legislators to identify some groups and supporters that might almost be a part of the primary constituency, but just are not quite there yet. This allows him or her to figure out what is missing and possibly add these individuals and groups to the primary constituency.

Within the primary constituency circle there is an even smaller group known as the personal constituency. Their personal constituency is the fourth and final circle, and consists of a legislator's most intimate supporters. These can range anywhere from advisors to most trusted friends. These are the individuals that the legislator is allowed to be himself or herself around. These people are not just guaranteed votes, they are individuals with whom the member takes advice and support from on a daily basis (Fenno 1978).

Constituents are what allow a member of Congress to keep his or her job. Without them there would be no votes, meaning there would be no legislator. This is why identifying and paying close attention to them is so important to legislators. Constituents, however, are not the only group that influences members of Congress.

The decision making process is a long a complicated one for members of Congress. No only are they influenced on all fronts by various entities, but they also have

to make decisions based on their own beliefs and judgments. The first question that arises when a bill or amendment comes up is ‘is this controversial?’ This is an incredibly important question to ask because its answer will greatly effect the rest of the decision making process. A lack of controversy will usually lead to a “vote with the herd,” meaning the member of Congress will vote with the rest of his or her party. This is usually the easiest route for a legislator to take and is often used even when there is moderate controversy surrounding the vote (Kingden 1973)

Controversy can be found in numerous places. The bill itself could be very controversial, but that is not always the only issue to come about. Occasionally certain members within a group create controversy by not siding with everyone else. Sometimes they are being pulled strongly in a certain direction by interest groups and lobbyists, other times they are just doing what they think is right. Either way, this can create controversy and in many cases cause them to be isolated when it comes time to vote.

Obviously, following the majority is usually the safest thing a member of Congress can do concerning voting; but sometimes, it isn’t that easy. Parties can be split, leaving the decision making to the discretion of the legislator. Sometimes, a legislator has to choose between angering some demographic within their constituency and pleasing another. Other times, legislators have to decide whether or not to cross lobbyists, interest groups, and big donors. It is a narrow bridge they often have to navigate, and one false step could throw them off (Kingden 1973).

Interest groups and lobbyists are the most controversial influencers of Congress members, but can also often be the most effective (Oleszek, Lee 2010). As the old saying goes “money talks”, and these two groups of people have a lot of money and even more to say. Lobbying is protected by the constitutional guarantee of free speech and the right to petition the government, this does not, however, mean it is loved or even respected by many citizens. While lobbying and interest groups have always been around, America saw a surge after World War II that has yet to really slow down at all. In recent years, these interest groups have turned into public interest groups, this means that they center around a cause rather than a narrow economic interest or person (Oleszek, Lee 2010). With the public interest group growing in popularity, there are essentially interest groups for any and everyone. It also has helped different organizations see eye to eye on issues, this has caused many lobbying groups and interest groups to pool their resources and become more effective.

Party leaders can also sometimes be an influence on congressional members. Party pressure in politics is much weaker in the United States than in most other national legislatures, but it is still present (Oleszek, Lee 2010). While statements have been made by parties during a vote in unison, typically all it means is that the members have shared policy beliefs and not that they were pressured by the party. Parties help elect individuals that they feel will represent them and share similar beliefs, this means that if they do their job right pressure on the candidates will not be necessary. This one reason why political party pressure in the US is so insignificant compared to many other countries.

Presidents and legislators have a very important relationship. The president needs support from legislators in order to get his or her own legislative agenda on track. Most support for Presidential legislation comes from partisan ties, meaning that members that share the same party as the President support his or her political agenda (Roberts, Vander Wielen 2007). Members of the Presidents party have a serious stake in the success of the President. Since the President is the ultimate leader of their party, his or her success can greatly help or hurt their party and those congressional members in it. Also, Presidents make promises throughout their campaigns that often need to be kept to ensure reelection. In order to keep those legislative promises, the President needs support from Congress. This means those members are constantly being persuaded by the president to vote certain ways and agree with certain policies. (Roberts, Vander Wielen 2007).

### *The Importance of Power and Influence on Representation*

Serving their constituents is not just an important part of a Congress member's job; it is really the entire reason of their existence. They are representatives of their districts and states and are in Washington for the purpose of looking out for the interests of those to groups (Roberts, Vander Wielen 2007). If a member is in a delegate role, he or she feels it is their duty to behave in accordance with the wishes of their constituents. Every move he or she makes is made to better the lives and condition of their constituents and home state. Opposite of the delegate role is the trustee role, in this role the member exercises independent judgment, While they still have the interests of their constituents in

mind, they analyze and decide for themselves what is the right call to make on votes and actions. One reason that members of Congress can usually be trusted to have their constituent's interest in mind is that they can relate to them. Senate and House representatives hail from the states they represent and often still have family, friends, and business there too. This means that the decisions they make for the state affect them just as they do their constituents. Although, in many cases members pick and choose which areas and constituents to give priority to. This can depend on friendships, personal business involvement, and especially campaign contributions. Those who help the members out the most during campaigns can often expect to be helped out the most during the Congress member's term (Roberts, Vander Wielen 2007).

The longing for higher office does not stop when an individual is elected to Congress. While it is a truly incredible honor and holds lots of power, members usually still want more. For instance, the House of Representatives is often a stepping-stone for those seeking Senate or Gubernatorial spots. While no branch of the Congress is more "powerful" than the other, House members have less individual power because there are so many more of them. In 2006 11 sitting House members left their seats in the House and ran for either an open Senate spot or Governor in their state (Roberts, Vander Wielen 2007). Between 1960 and 2002, 199 House members ran for open Senate spots. In fact, nearly half of all current Senators served in the House of Representatives first. In the same 1960 to 2002 time frame, 44 major party candidates for President and Vice President were from the Senate, showing that the Senate too is a stepping-stone for

climbing the political ladder (Roberts, Vander Wielen 2007). This need for a higher office is another driving force behind congressional decisions. One wrong vote, one angered donor, or one bad term in office can greatly hinder the ability of a member to further their political career.

Political influence is key to the success and survival of members of Congress. Without it they are useless and most likely jobless by the next election. During their time in Congress members try to develop a base of power, one that they can use to achieve and protect policy goals, constituent interests, and reelection wishes. Becoming influential means having friends, but also having leadership roles on committees. Two highly sought after committees are the House Appropriations committee and the Ways and Means committee, both are very broad organizations that are involved in many aspects of Congress and the government. Being a part of those committees give members of Congress tremendous influence and therefore power.

One way legislators may be able to appease all of these outside influences, keep their jobs, gets their work done, and in essence tie everything together is through earmarks. They can build relationships with those around them (peers, interest groups, lobbyists, etc.) by creating, agreeing with, or pushing through various earmarks on bills along with provide important representation to their constituents.

## Chapter 4

The purpose of this analysis is to test for a relationship or pattern between earmarks and bipartisan voting behavior in the United States House of Representatives. By using data from 2010 (when earmarks were still around), and 2011 (earmarks were banned due to a moratorium), I test to see if using earmarks increases bipartisan behavior (specifically voting) in the House of Representatives. First I look at earmarks as in the 2010 House as a whole in terms of the total solo and joint earmarks, and the amount of money spent on them. I then discuss overall trends within the data. Next I look at the voting behavior data from the 2010 House. I look at bipartisan voting and earmarking, analyzing how often top earmark partners vote together in the House. Finally, I compare voting data from the 2011 House to the 2010 data.

### ***Data and Methods***

I obtained the data and put it onto spreadsheets using Microsoft Excel to make it easier to read, calculate numbers, and make the comparisons. The voting data on the members of the House came from a website called [voteview.com](http://voteview.com). This website contains a plethora of voting data on Congress and proved incredibly helpful. The earmark data came from [taxpayer.net](http://taxpayer.net). This website is a self-proclaimed “non partisan budget watchdog” that has an incredible amount of information on budgetary and tax matters in Congress which includes data on earmarks. Once put into the spreadsheets, the significant amount of data I collected was easy to understand and analyze.



## *Analysis*

As previously stated, 2010 was the last year that earmarks were permitted to be used in Congress. Following 2010, a one-year moratorium was placed on the use of earmarks, which has been followed by continuations of the moratorium since. Although earmarks came to a halt following the 2010 session, The House of Representatives took full advantage of the practice before the moratorium. The House uses two different types of earmarks; joint earmarks have partnered support from multiple legislators, while solo earmarks are supported by single members. . Obviously the solo earmark's origins and supporters are straightforward; they are created, supported, and added by a single member who wants the earmark passed. The joint earmarks, however, are little bit more complicated. There are often times numerous individuals that can be attached to one earmark, occasionally these individuals hail from different parties, states, and backgrounds. Over the year, joint earmarks have been one of the only bipartisan parts of the legislative process. They have essentially become the watering hole for Congress, bringing the various ideologies, geographical locations, and backgrounds together for a common purpose.

All together, the 2010 solo earmarks for the United States House of Representatives added up to be \$2,525,298,264 (*graph 2*) from 3,411 earmarks (*graph 1*). When averaged out, these numbers become around 7.6997 earmarks per member with \$5,700,448 of spending per member (*table 1*). This number is quite substantial, but fails to meet the total spending on joint earmarks All together the 5,761 joint earmarks pushed

through by the 2010 House of Representatives (*graph 1*) added up to be \$7,551,865,420 (*graph 2*). When averaged out, that leaves 13.0045 earmarks per member and \$17,047,100 worth of spending per member (*table 1*). The top five members with the most solo earmarks are Representatives Dave Obey (D-WI), Alan Mollohan (D-WV), Jerry Lewis (R-CA), James Moran (R-VA), and Bill Young (R-FL). All together these five members obtained 243 earmarks costing \$302,302,000. On the other hand, the top five members with the most joint earmarks were Sandlin Herseth (D-SD), Michael Castle (R-DE), Denny Rehberg (R-MT), Steve Rothman (D-NJ), and Mazie Hirono (D-HI). These five representatives were partners on 338 earmarks costing \$412,839,050. These numbers and statistics are very informative as to the amount of money being spent by legislators on congressional earmarks. While the amount of money seems minute in comparison to the rest of the budget, in reality, Congress members are working with a tremendous amount of taxpayer dollars when allocating money to various earmarks.

As shown by the information, no one party is to blame for the spending. Both Republicans and Democrats made the top five lists, as well as members from all types of states and regions. One interesting finding is the members' relations to the House Appropriations Committee. This committee is essentially the group that decides how and where to spend the United States government's money; it is also believed to be one of the most powerful and important committees in Congress. The members in it have significant influence and power within Congress. Every single one of the top five solo earmarkers served on the committee, with many of them being chairmen at one time or another.

However, in regards to the top five joint earmarkers, only two of them served on the House Appropriations Committee. It makes sense that many of the top solo earmarkers served on that committee, because both in order to get earmarks passed and serve on the House appropriations committee, a member must be powerful and have a significant amount of influence. It is, however, a bit surprising that the joint earmarkers were not as closely related to the appropriations committee. This shows that maybe members who were newer, not as powerful, and with less influence were still able to get things done within Congress by teaming up with others.

To test the relationship between earmarks and voting behavior, I determined the top earmark partner for each member. I then examined those members whose top partner was from the opposite party. There are 87 of these partnerships. For example, Representative Bacchus was Representative Davis's top earmark partner in the 111<sup>th</sup> Congress. One of them is an Alabama Democrat while the other, is an Alabama Republican. Using this system, I calculated how often the two bipartisan partners voted together on legislation in the House of Representatives during the 111<sup>th</sup> Congress, which is the last year that earmarks were permitted. I then looked at how often the two earmark partners voted together during the 112<sup>th</sup> Congress, which is the year that earmarks were no longer allowed. Using these two percentages, I was able to see how often two legislators of different parties who typically partnered with one another on earmarks voted together when earmarks were present and when earmarks were banned. The prediction was that overall, the common voting behavior of the 87 bipartisan earmark

partners would decrease in the 112th Congress due to the inability of members to earmark. After averaging the percentages of common voting between the partners for the 111<sup>th</sup> and 112<sup>th</sup> Congress, I found that the percentage of times the partners voted together had fallen by 3.5% in the 112<sup>th</sup> Congress. This shows that bipartisan voting, at least to some extent had fallen after the moratorium on earmarks (*See table 2 / graph 2*).

While the overall data points towards the direction of a decrease in bipartisan partnership voting, it is still important to look at the partnerships themselves. Of the 87 partnerships found, only two of them were not from the same state. Representative Brown of Florida and Representative Davis of California were one of the partnerships while the other one was Representative Emerson of Missouri, and Representative Berry from Arkansas. The latter partnership's districts, however, did border one another. In fact, bordering districts was a common theme found throughout the partnerships. Many of the members' districts were right beside one another. This means that they often had similar constituents and therefore goals while in office. Also, in a number of the partnerships, one partner's district contained a major city, while the other partner's district contained the surrounding counties of that city. This meant that the two districts represented by the partnership greatly affected one another. It did seem that many of the partnerships analyzed make intuitive sense; representatives of bordering districts in the same states do face many of the same challenges and do affect one another greatly. This, however, also makes the drop in common voting amongst the partners even more alarming. Broken voting between state representatives hardly sounds like a positive thing

for the state. The ability of these partners to use earmarks as bartering tools with one another could possibly have helped the representatives get along, and in turn get things done regardless of party affiliation. Of course, the loss of earmarks was not the complete destruction of these partnerships. Many of them still had a positive common voting percentage and some of them even had an increase. When it comes down to it, the geographical similarities found within the majority of the bipartisan partnerships means that eventually, they will have to agree on some votes and pieces of legislation. Earmarks are not the only things keeping the legislators going, but with the 3.5% drop, it seems that they could play some type role in the bipartisan legislative process.

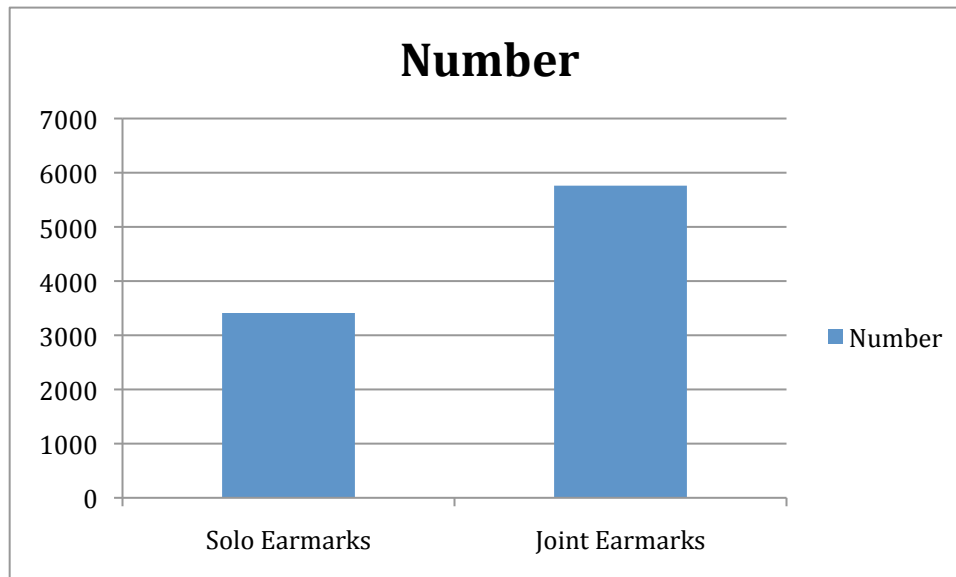
Upon further review of the data collected, I realized that only 18.4% (or 16) of the 87 bipartisan partnerships I had tested consisted of members whose districts did not share a border. This meant that 71 of the bipartisan partnerships contained members whose districts did share borders. As previously stated it made sense to me for members sharing district borders to vote with one another on bills and earmarks because chances are whatever came of the legislation was going to affect them in a similar way. When I calculated the average change in bipartisan partnered voting among the partnerships with shared district boundaries, there was only a -2.6% change. Again this was expected because the shared district boundaries meant the members (regardless of party affiliation) had similar concerns and goals. However, when I calculated the average change in partnered voting among the bipartisan partnerships who didn't share district boundaries there was a much larger -7.3% change (*table 2 / graph 3*). This higher drop in bipartisan-

partnered voting behavior following the earmark moratorium added a little more evidence to my hypothesis. Without the earmarks, members lacking any reason to vote with one another didn't. Without any sort of incentive, it seemed that a number of legislators had no real motivation to work across party lines with one another. Earmarks, to some extent, perhaps have played and still could play a role in bipartisan politics.

Table 1

	<b>Number</b>	<b>Number/Member</b>
<b>Solo Earmarks</b>	3,411	7.7
<b>Joint Earmarks</b>	5,761	13
	<b>Amount</b>	<b>Amount/Member</b>
<b>Solo Earmarks</b>	\$2,525,298,264	\$5,700,448
<b>Joint Earmarks</b>	\$7,551,865,420	\$17,047,100

Graph 1



Graph 2

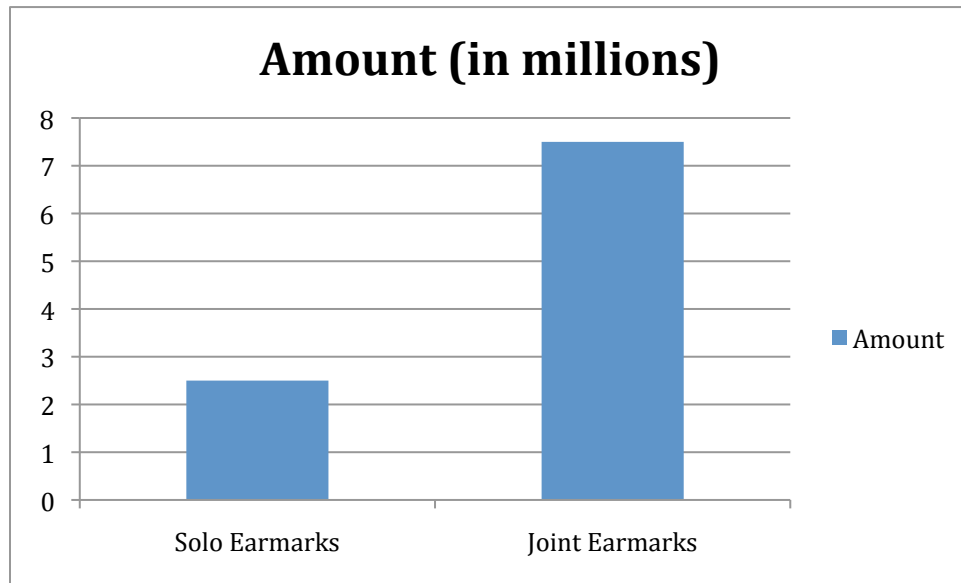
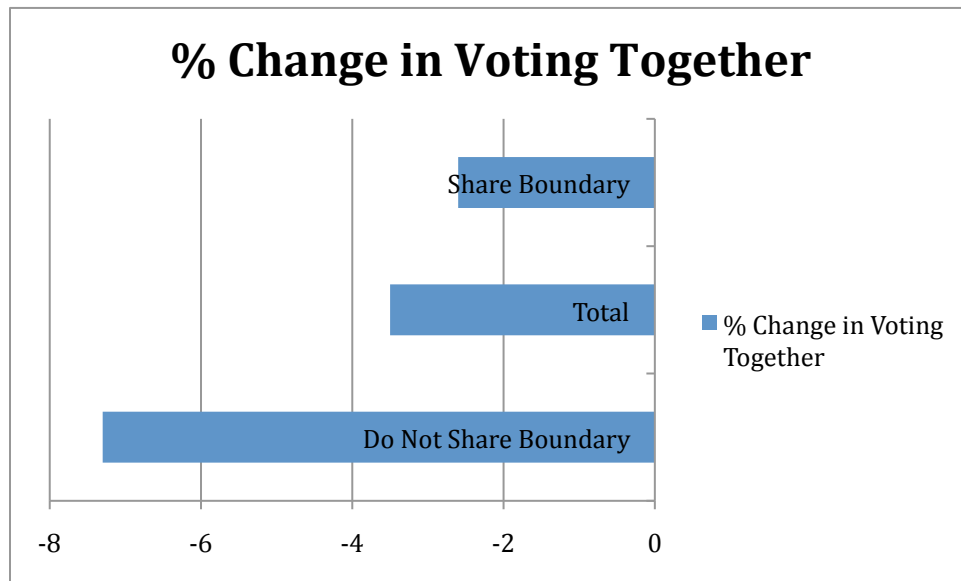


Table 2

	<b>% Change in Voting Together</b>	<b>n</b>
<b>Do Not Share Boundary</b>	-7.3%	71
<b>Total</b>	-3.5%	87
<b>Share Boundary</b>	-2.6%	16



Graph 3



## Conclusion

While the congressional moratorium of earmarks remains, the debate is still active and very relevant. Congress is divided and no one can predict what the midterms will bring. Yet, as our ideological differences grow, so do our problems. Now, more than ever, the country needs a unified effort on foreign policy, healthcare, and other budgetary concerns. Earmarks, while not the ultimate savior, could perhaps help alleviate some of the pain. As stated, congressional members represent their districts and their constituents, but they also represent themselves. Their main goal, year end and year out is to either hold on to their seat and seek reelection, move to a different area of government in which there will be an election, or retire. Because of this, members of the House of Representatives make very calculated decisions and moves throughout their terms. They must follow their party ideologies while also appealing to their constituencies. This drive for reelection can sometimes cloud their ability to see the big picture or to care about other districts and members. This sense of selfishness among legislators can greatly reduce the government's ability to get things done. Earmarks, however, may be able to help this problem. By having the ability to earmark, members of Congress, and specifically the House of Representatives, can able to create incentives for bipartisan partnerships. Giving legislators the ability to "scratch one another's back" creates a reason for them to get along. Knowing that a partnership on one earmark could benefit both sides in the long run by creating inroads into future earmark and bipartisan voting

partnerships encourages members of the House to sometimes vote in ways that they previously would not have done. Earmarks will not solve the problem of polarization in Congress, but they certainly might be able to help.

It is acknowledged that earmarks are not completely innocent allocations of money. They are funded using the nation's taxpayers money and are allocated to specific projects that only benefit a small group of people in a certain area. They also can create campaign contribution and special interest group influence problems for legislators. Since the projects are usually very specific, there have been many instances where a direct correlation has been found between campaign donors and earmark recipients. However, the morality of earmarks is not the variable in question here. What this thesis is meant to address is the bipartisan benefit earmarks might be able to provide to Congress, and specifically the House of Representatives.

After collecting the data on the top House bipartisan earmark partners' voting habits both before and after the moratorium the data in fact showed a decrease in bipartisan voting among the partners. The data does not suggest exactly that the moratorium on earmarks is to blame for the decrease. It does, however, encourage more research into the idea of earmarks playing some sort of role. The drop in percentages is difficult to measure without more research. But, it is pointing in the right direction. Of course, the data is limited so nothing for certain can be said. I only used the top 87 partnerships meaning that many partnerships and members of the House of Representatives were not included in the data calculations. Also, the data does not

include any calculations for outside influences such as war, social movements, newly emerging party factions, etc. This was a small descriptive analysis and lacked any real statistical factors. The percentage changes also lacked any sort of standard to compare to. This made it difficult to determine how drastic the decreases actually were in the grand scheme of things. The research was the first part of what could be a much more detailed analysis of the hypothesis. A drop in House bipartisan voting behavior (at least between the 87 partnerships I analyzed) following the moratorium did make one think that this hypothesis was at least worth exploring a little more.

This analysis by no means completely debunks any negative aspect of earmarks. They are still a morally questionable act of Congress; it would be difficult to argue otherwise. What this research does show is that maybe they are not completely bad. There might, in fact, be a positive impact for the American people through the use of earmarks in Congress. Although it cannot be said with certain, it is indeed something to think about; earmarks, a necessary evil.

## References

Dodd, Lawrence C., and Bruce Ian. Oppenheimer. "The Dynamics of Party Government in Congress." *Congress Reconsidered*. 8th ed. Washington, D.C.: CQ, 2005. N. pag. Print.

Dodd, Lawrence C., and Bruce Ian. Oppenheimer. "The (Dis)Intergration of the House Appropriations Committee: Revisiting." *Congress Reconsidered*. 8th ed. Washington, D.C.: CQ, 2005. N. pag. Print.

"Earmarks and Earmarking: Frequently Asked Questions." *Taxpayers for Common Sense*. N.p., n.d. Web. 26 Mar. 2014.

"Earmarks Map – 2010 Approved." *Ending Spending EndingSpending.com Earmarks Map 2010 Approved Comments*. N.p., n.d. Web. 26 Mar. 2014.

"Earmarks: Myth and Reality." *CNNMoney*. Cable News Network, 11 Mar. 2009. Web. 07 Apr. 2014.

"Federalfunding.net." *Federalfunding.net*. N.p., n.d. Web. 07 Apr. 2014

Fenno, Richard F., Jr. "Perceptions of the Constituency." *Home Style House Members in Their Districts*. Boston MA: Little Brown and, 1978. N. pag. Print.

Greeley, Brendan. "Earmarks: The Reluctant Case for Ending the Ban." *Bloomberg Business Week*. Bloomberg, 10 Jan. 2013. Web. 26 Mar. 2014.

Kingden, John W. *Congressmen's Voting Decisions*. New York, NY: Harper and Row, 1973. N. pag. Print.

Mayhew, David R. *Congress: The Electoral Connection*. New Haven: Yale UP, 1974. Print

Oleszek, Walter J., and Frances E. Lee. "Leaders and Parties in Congress." *Congress and Its Members*. By Roger H. Davidson. 12th ed. Washington DC: CQ, 2010. N. pag. Print.

Oleszek, Walter J., and Frances E. Lee. "Deliberation in Congress." *Congress and Its Members*. By Roger H. Davidson. 12th ed. Washington DC: CQ, 2010. N. pag. Print.

Oleszek, Walter J., and Frances E. Lee. "Congress and Organized Interests." *Congress and Its Members*. By Roger H. Davidson. 12th ed. Washington DC: CQ, 2010. N. pag. Print.

Oleszek, Walter J., and Frances E. Lee. "Congress, Budgets, and Domestic Policymaking." *Congress and Its Members*. By Roger H. Davidson. 12th ed. Washington DC: CQ, 2010. N. pag. Print.

Roberts, Jason M., and Ryan J. Vander Wielen. "Members, Goals, Resources, and Strategies." *The American Congress*. By Steven S. Smith. Fifth ed. New York, NY: Cambridge UP, 2007. Print.

Roberts, Jason M., and Ryan J. Vander Wielen. "The Floor and Voting." *The American Congress*. By Steven S. Smith. Fifth ed. New York, NY: Cambridge UP, 2007. Print.

Roberts, Jason M., and Ryan J. Vander Wielen. "Congress and Budget Politics." *The American Congress*. By Steven S. Smith. Fifth ed. New York, NY: Cambridge UP, 2007. Print.

Rocca, Michael S., and Stacy B. Gordon. "Earmarks as a Means and an End: The Link between Earmarks and Campaign Contributions in the U.S. House of Representatives." *The Journal of Politics* 75 (2013): 241-53. Web.

"Working Around Earmark Ban." *Roll Call*. N.p., n.d. Web. 26 Mar. 2014.