

# Presidential and Congressional Response to Political Crisis: Nixon, Congress, and Watergate

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## *Abstract*

This research tests a series of hypotheses on the congressional response to Watergate and explores Nixon's counter-impeachment strategy. As Neustadt's theory of presidential influence predicts, the sequence of Watergate disclosures contributed to a decline in congressional support for Nixon's legislative program in 1973. Partisan and regional differences in support for Nixon's program were also significant. The electoral marginality of representatives was not an important factor: competitive-seat Republicans voted as consistently for Nixon's program as safe-seat Republicans. The president's own electoral strength was a significant factor early in the 93rd Congress: Republicans in districts where Nixon ran strongly give Nixon his greatest legislative support. Nixon responded to the impeachment threat by withdrawing from legislative leadership and abandoning the "Administrative Presidency." In 1974 Nixon added only five proposals to his domestic legislative agenda, took positions on only 15 percent of House roll calls, and vetoed only two bills. By avoiding controversial policy initiatives that might antagonize Congress, Nixon anticipated and helped forestall a further decline in congressional support in 1974.

The Watergate crisis represents a notable test of democratic accountability. President Nixon's forced resignation from office on August 8, 1974 was the retribution Congress exacted for his violations of public trust. Reprisals for these violations touched other Republicans as well. Four of the nine Nixon loyalists among the Republicans on the House Judiciary Committee were defeated in the 1974 elections. More generally, Republicans suffered a net loss of 49 seats in the House and four

seats in the Senate, ranking 1974 with 1966, 1958, and 1948 as major post-New Deal midterm electoral disasters for the presidential party.

This study is an exploration of presidential and congressional responses to the political dangers that events such as Watergate create. We focus initially on the responsiveness of the House of Representatives to changes in the popularity of Nixon: Did representatives in this most extraordinary of situations see their own interests threatened by association with the legislative program of the beleaguered Nixon and respond by withdrawing their support for Nixon's legislative program? We then turn to an examination of Nixon's strategy for countering the dangers of impeachment, one in which he apparently recast controversial features of his legislative program in order to limit the political opportunities of his potential impeachers.

The central premise of the study is that individual representatives believed that their support for Nixon's legislative program could affect their reelection prospects. The plausibility of this premise is grounded in a series of assumptions, each well-documented in the literature:

1. *There are national tides in midterm congressional elections that are independent of the surge-decline effect linking the election to the outcome of the previous presidential race.* Hinckley's recent review (1981: chs. 6-7) of this rapidly changing literature on congressional elections emphasizes two important generalizations about their determinants.

- (a) Midterm elections are not simply the return of the pendulum from a presidential year surge in congressional seats won by the president's party back to the partisan strength reflecting the normal congressional vote. Were midterm congressional losses by the president's party merely proportional to the previous presidential year gain, then midterm elections could properly be called, as in Franklin's phrase (1971), "non-events." However, Arsenau and Wolfinger (1973), Piereson (1975), Kernell (1977), and Tufté (1978) have helped reestablish the truth of Bryce's dictum that a midterm election represents a referendum on the president, in which current evaluations of the president's performance influence the outcome of midterm elections independent of the magnitude of the previous presidential year surge.

- (b) But, midterm elections are more than just referenda on the president. A politically significant minority of the voting electorate is sufficiently knowledgeable about individual congressional candidates to cast issue-based votes in congressional races (Wright, 1978; Ragsdale, 1980). The roll call records of congressmen can be important factors in their reelections (Erickson, 1971; Mayhew, 1974: 69-73; Wright, 1977).

2. *The 1974 midterm election proved to be a clear instance of a national tide against Nixon and the Republican party.* Brody and Page (1975), Kernell (1978), and Hibbs (1982) document the degree to which the Vietnam War and Watergate contributed to Nixon's plunge in popularity. As Nixon's popularity fell, so too did the proportion of voters who said they would vote for GOP congressional candidates (Kernell, 1977: 62). The result? Hinckley (1981: 124) shows that Republican congressional candidates won only 41.5 percent of the two-party vote in 1974, 4.5 percentage points less than the normal GOP vote. Jacobson's estimate is that "the average Republican could expect to lose about eight percent of the vote in 1974 just because of his party affiliation" (1980: 158).

3. *Members of Congress believe they are vulnerable to national tides but believe as well that their actions, including their roll call votes, can partially insulate them from such tides.* David Mayhew (1974) has fashioned a compelling book around the simple thesis that both the behavior of members of Congress and the character of the institution itself are determined by the members' desire for reelection. Roll call votes are a specific form of the more general behavior Mayhew terms *position-taking*. Congressmen take their votes seriously as an important component of their reelection strategies (Kingdon, 1973: ch. 2).

4. *Elite behavior increases the likelihood of successful electoral reprisal against the president's congressional delegation.* If national trends depended only on the propensity of people to cast issue-based votes against incumbents, the magnitude of national tides would be small indeed. Watergate was apparently in the minds of only a small minority of 1974 midterm voters (Miller and Glass, 1977; Conway and Wyckoff, 1980). Yet a national impact there was, and the explanation, Jacobson and Kernell (1981) argue, lies in the strategic calculations of political elites—campaign contributors and potential congressional candidates—who anticipated a national political tide and helped produce it through their decisions on how much money to give and on whether to challenge for a congressional seat. Elite behavior makes the anticipation of a tide self-reinforcing, producing a political multiplier effect.

#### THE DEPENDENT VARIABLE: PRESIDENTIAL SUPPORT SCORES

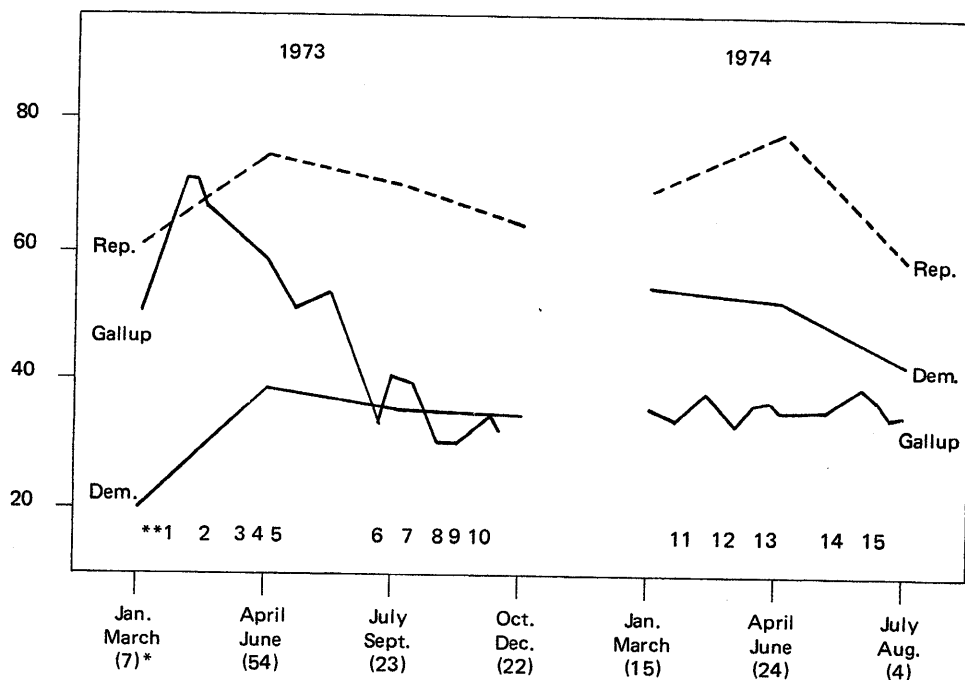
Our measure of presidential support is the individual representative's vote on each contested roll call on which, according to *Congressional Quarterly Almanac*, President Nixon took a position. A contested vote is defined as one on which at least 10 percent voted in opposition to the majority position. All such roll call votes during the 93rd Congress through August 8, 1974, the date of Nixon's resignation, are included in the analysis. From these presidential position roll calls we determine presidential support scores, i.e., the percentage of the roll calls on which the legislator supported the president's position.<sup>1</sup> From these individual scores we calculate mean support scores for the legislative groups under analysis.

Numerous studies have analyzed annual and biennial support score averages across sets of Congresses. None, however, has ever examined how presidential support fluctuates within a Congress in response to particular events, such as the series of Watergate disclosures. Given our interest in assessing the impact of Watergate events, we present *intra-session* support averages by taking all of the presidential support roll calls that occur within a fixed number of calendar days. We computed support scores for 15, 30, 60, 90, 180, and 365 day intervals. Ninety-day intervals proved to be the optimum length in terms of providing an interval long enough to include sufficient roll calls for analysis and short enough to measure the impact of a set of events.

#### THE CONGRESSIONAL RESPONSE TO WATERGATE

This section presents a series of tests of hypotheses on the timing and magnitude of the congressional response to Watergate. The independent variables are the Water-

FIGURE 1  
*Mean Presidential Support Scores by Party and Gallup Approval Rating*



\*Number of presidential support votes in each quarter.

\*\*Watergate chronology. See note 2.

gate events themselves, the popularity of the president, and the party, region, and electoral marginality of the representatives.

#### WATERGATE AND PRESIDENTIAL POPULARITY

Neustadt's classic, *Presidential Power* (1960), argues fully the case that a president's power of persuasion depends directly on his public prestige. George Edwards (1976, 1981) has examined this thesis, showing that presidential support scores are related to the president's average annual approval rating in the polls. Our concern is whether this relationship, which holds across complete sessions of Congress, also exists within congressional sessions as well.

Douglas Rivers and Nancy Rose (1981) have tested a well-specified model of the relationship between presidential popularity and the passage of the president's program. From 1954-1973, they find that the prestige of the president is a significant factor in congressional support for his program. Indeed, they argue that the influence of presidential popularity is conventionally understated (1981: 24):

When presidential support in Congress is high, presidents tend to submit a large number of requests and to receive as a consequence lower approval rates. Thus, bivariate cor-

relations between a president's public prestige or a president's congressional party support and congressional approval rates will understate the extent to which these factors are sources of presidential influence on Congress.

Figure 1 presents the time series on presidential support scores, overlaid with the Watergate chronology<sup>2</sup> and Gallup's presidential approval index. Our expectation is, of course, that the Watergate disclosures will negatively affect Nixon's popularity with the public, which will lower in turn the presidential support scores of both Republicans and Democrats.

The effect of Watergate on Nixon's public approval rating is evident in its precipitous 35-point drop in the first half of 1973 down to a floor below 30 percent. Therefore, Nixon's presidential support score should have been at its peak in the first quarter of 1973 and declined systematically thereafter. However, Figure 1 shows the first quarter support scores to be the lowest, not the highest, of the 93rd Congress. The explanation for this anomaly is probably the small number of votes (7) on which this data point is based and Nixon's ambitious initiative following the 1972 landslide victory to institutionalize his New Federalism agenda through administrative rather than legislative means (Nathan, 1975; Reichley, 1981). Nixon intended to wrest control over domestic policy from Congress and from the cabinet agencies through administrative reorganization schemes such as the Super Secretaries and through impoundment of funds appropriated by Congress.

The seven first quarter support votes reflect his controversial presidential initiative. Six of the seven votes are on bread and butter domestic issues. Four of the six domestic votes were partisan, with Democratic and Republican majorities opposing one another. Two of the six votes were on bills designed to force the Department of Agriculture to spend the full amount appropriated by Congress for rural environmental assistance and for rural water and waste disposal grants. In both cases Nixon had impounded these funds and administratively terminated the programs. Three more of the six votes involved vocational rehabilitation and public works bills that Nixon had vetoed at the close of the 92nd Congress. Though at this point Nixon could still command the loyalty of most House Republicans, this presidential challenge to congressional power resulted in low first-quarter support scores for Republicans as well as Democrats.

In the third and fourth quarter, the presidential support index declined as the hypothesis predicts. The Republican decline is 12 points; the Democratic decline, five. Though not large, the fall in both cases is systematic and in the predicted direction. The events of the second quarter—Nixon's acknowledgement that "serious things have come to my attention," the resignations of Haldeman, Ehrlichman, and Kleindienst, the firing of Dean, the indictments of Mitchell and Stans, and the opening of Ervin Committee hearings—all undoubtedly accumulated to increase the risk of public support for Nixon.<sup>3</sup>

The second session of the 93rd Congress offers less support for the hypothesis than does 1973. First, the average support scores for both Republicans and Democrats are higher in 1974 than 1973, and the partisan differences in support scores narrow as well. As we shall argue in the final section on Nixon's response, this anomaly is the result of Nixon's abandonment in 1974 of the controversial aspects of his Administrative Presidency in favor of a conciliatory program designed to placate

his potential impeachers. Second, the intra-session trends in support scores are not as consistent. From the first to the second quarter, the Democratic support score declines only two points, while the Republican score increases by eight. The final decline just before Nixon's resignation is partly a consequence of a score calculated on only four votes. Perhaps the second session simply does not offer an ideal test of the hypothesis that public approval of the president is sensitive to events and can affect roll call support scores. Throughout 1974 Nixon's approval rating hovered near a floor below 30 percent, and he had abandoned his New Federalism program. By the spring of 1974 his goal was not policy victories but survival.

#### PARTY AND REGIONAL DIFFERENCES IN PRESIDENTIAL SUPPORT SCORES

The literature is replete with findings that the relationship between presidential popularity and congressional support varies by party and region (Truman, 1959; Rieselbach, 1966; Buck, 1972; Harmon and Brauen, 1979; Edwards, 1981; Rivers and Rose, 1981). Party affiliation influences congressional response for two obvious reasons. First, Republicans and Democrats differ substantially in policy preferences. Second, congressional parties are linked in a system of collective electoral accountability with the president, with Democrats hoping to gain and Republicans hoping to minimize loss from an anticipated national Watergate tide.

A look back at Figure 1 shows us that the overall party support averages are strikingly different. For 1973 Republican support for Nixon's program averaged 67 percent, while Democratic support averaged only 33 percent, a difference of 34 percentage points. In 1974 Republican support held steady at 68 percent, while Democratic support increased to 45 percent, a still substantial difference of 23 percentage points. Unquestionably, in their roll call behavior parties are more than "analytic phantoms" (Mayhew, 1974: 6).

Congressional Republicans faced a particularly difficult strategic calculation. If Republicans were to attempt to protect themselves through their *individual* roll call votes, then we would expect them to dissociate themselves from a public appearance of support for Nixon's program. Following this strategy, Republicans would move away from Nixon as quickly as Democrats, with the presidential support scores for both parties moving roughly in parallel over the 93rd Congress.

On the other hand, Mayhew has suggested that to the degree that congressional elections are predominantly judgments of presidential performance rather than decisions about individual representatives, then Republicans could have decided that their best reelection strategy would be to hang tough *collectively* in support of Nixon's program. Or as Mayhew describes this strategy (1974: 29),

With voters behaving the way they do, it is in the electoral interest of a marginal congressman to help insure that a presidential administration of his own party is a popular success or that one of the opposite party is a failure. . . .

But what can a marginal congressman do to affect the fortunes of a presidency? One shorthand course a marginal serving under a president of his own party can take is to support him diligently in roll call voting. . . .

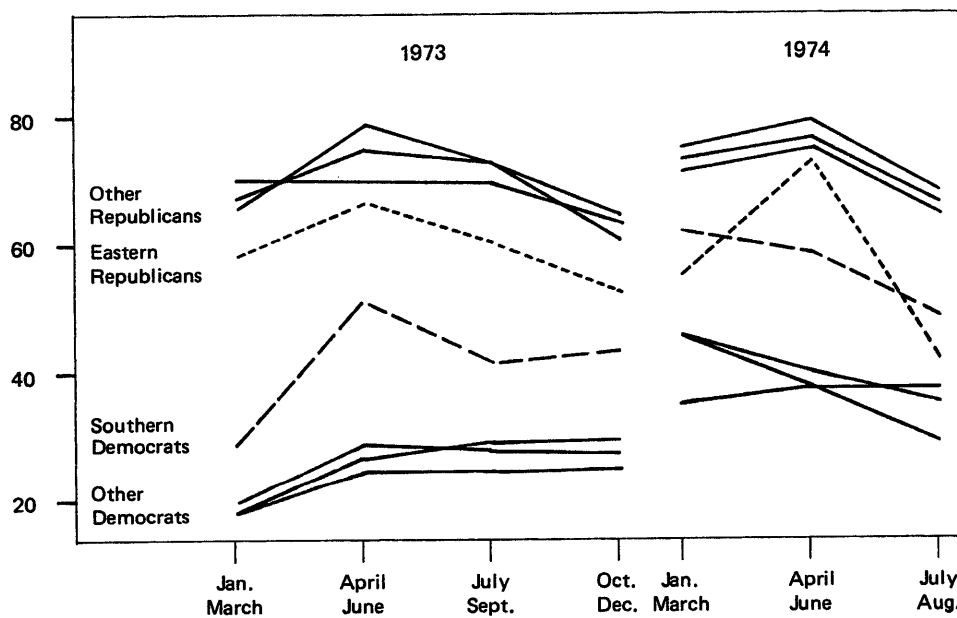
In short, an individualistic protective strategy would manifest itself in partisan trend lines that move in parallel across the 93rd Congress, with Republicans having

as much incentive as Democrats to dissociate themselves from the president. A collective strategy, in contrast, should reveal itself as a widening gap between Republicans and Democrats, as Republicans support Nixon's legislative program in order to enhance Nixon's image as a president who can still govern. In fact, Figure 1 shows that the presidential support scores move roughly in parallel. Except for the April-June 1974 period, when Democratic support fell as Republican support increased, partisan trends in presidential support are quite similar. Though scarcely conclusive, the evidence is most consistent with an interpretation that Republicans on the average followed an individualistic strategy in their roll call votes on Nixon's program.

Nearly every roll call study of Congress takes account of regional variations within the parties because of the enduring relationship of region to the policy preferences of both representatives and their constituencies. While it would be ideal to measure these policy views directly, there are no district-based public opinion surveys available for all of the constituencies in this study. Similarly, the policy views of representatives are usually estimated from their roll call votes, in the manner of ADA, ACA, or *Congressional Quarterly* voting indices. However, including such measures as explanations of presidential support scores would produce a mathematical tautology, since some of the same roll call votes would appear in both measures. Therefore, we will retain region as a surrogate for congressional and constituency policy preferences.

Figure 2 presents the presidential support scores broken down into party and

FIGURE 2  
Mean Presidential Support Scores by Party and Region



regional groups. Three patterns stand out clearly. First, each party has a region at odds with its national center. Southern Democrats (who include members from 16 solid south and border states) are consistently more supportive of Nixon's program than are eastern, midwestern, and western Democrats. Similarly, eastern Republicans (New England and middle Atlantic members) are much less supportive of Nixon than are Republicans from the other three regions.

Second, regional differences within national party centers are remarkably slight. Presidential support scores for the three regions comprising the non-southern Democratic bloc are quite similar as are the mean scores for the three regions making the non-eastern Republican bloc.

Third, party differences dominate regional differences. For example, midwestern Democrats are much more like other Democrats than they are like midwestern Republicans. More surprisingly, perhaps, even the maverick party regions, eastern Republicans and southern Democrats, follow the centers of gravity within their parties more than they follow regional alignments. This pattern is particularly clear in 1973 when eastern Republicans were consistently more supportive of Nixon than even southern Democrats. In contrast, in 1974 eastern Republicans follow an unusual pattern—initially supporting Nixon at an average rate barely above 50 percent, moving in the second quarter to join other Republicans at the 70 percent support level, and then falling to a bare 40 percent support level in July and August on the final few votes before Nixon's resignation.

The distinctiveness of the regional alignments within the parties almost surely reflects differences in the policy views and partisan attachments of the members and their constituencies. An alternative hypothesis is that the regional patterns actually reflect differences in electoral vulnerability. For example, eastern Republicans may be less supportive of Nixon because they contain a higher proportion of marginal districts. However, as we will now see, congressional marginality explains very little of the pattern of support for Nixon.

#### PRESIDENTIAL SUPPORT AND CONGRESSIONAL MARGINALITY

The literature on the effects of electoral marginality on support for presidential programs falls into two distinct, though related groups. One set of studies is concerned with the relationship of the representative's own electoral history. A second concerns presidential coattails and the effects of the president's and the representative's joint electoral history.

The first set of studies follows in the tradition of Duncan MacRae (1952, 1958) and Lewis Froman, Jr. (1963). MacRae and Froman suggested that legislators from marginal districts are more likely to be sensitive to constituency concerns than safe-district legislators, especially if marginal legislators represent districts that are atypical in terms of the socio-economic character of their national parties. Sensitivity to electoral concerns would produce an incentive to cultivate voting support among opposition party voters. This would induce marginal legislators to be more moderate than the majorities within their own parties. Marginality, then, increases party disloyalty. Shannon (1968), Deckard (1976), Martin (1976), and Sullivan and Uslaner (1978) have followed this lead with studies that provide weak to moderate support for the hypothesis.

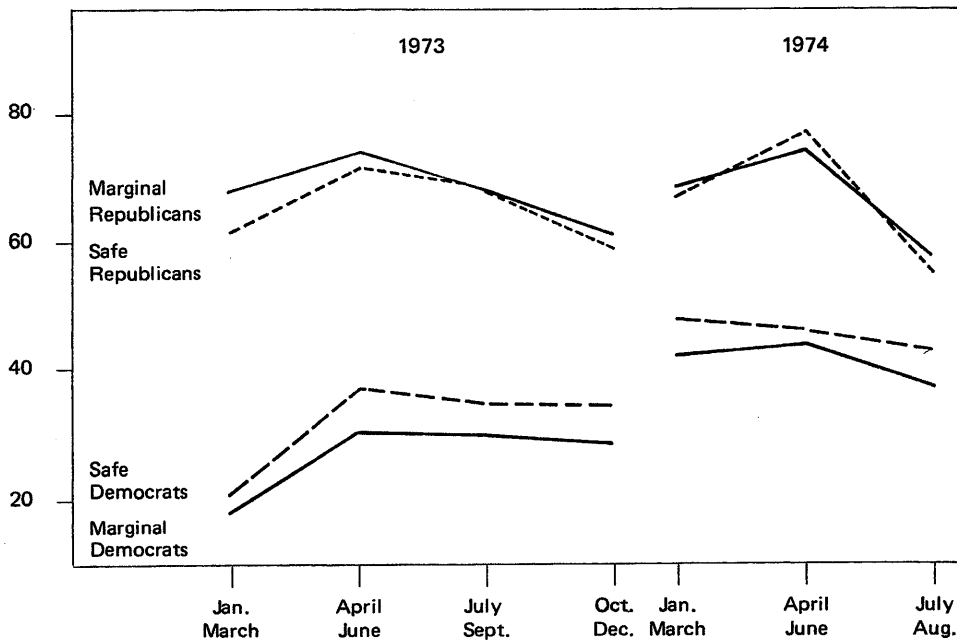


If marginality contributes to party disloyalty, then marginal Republicans and Democrats would gravitate toward positions intermediate between the two safe partisan groups. However, the Watergate issue is less a position issue, with left and right poles, than a valence issue—symbolic support for the program of a very unpopular president. In this situation we would expect marginal representatives to abandon the president's program earlier than safe-district representatives of the same party and to be less supportive in absolute terms. Marginal representatives should have lower support scores than safe-district representatives of the same party.

Figure 3 presents the mean presidential support scores for the 93rd Congress for representatives from safe and marginal districts. The definition of a safe district is one in which the incumbent received more than 60 percent of the total vote. Among the members of the president's own party, competitiveness makes no difference in support for the president's positions. The session averages for safe and competitive Republicans differ by less than two percentage points in both 1973 and 1974. Moreover, there is clearly no tendency for electorally insecure Republicans to withdraw support for Nixon earlier than Republicans from safe districts.

Democrats, in contrast to Republicans, do seem to conform to the electoral marginality hypothesis. Democrats representing competitive districts support Nixon's program five percentage points less than safe district Democrats in 1973 and six points less in 1974. However, this relationship between district competitiveness

FIGURE 3  
*Mean Presidential Support Scores by Congressional Marginality*



and presidential support may well be connected to the regional distribution of safe seats. Democratic safe seats are disproportionately located in the south, whose representatives, as we have already seen, are more likely than non-southern Democrats to support Nixon. (In 1972, 87 percent of the 92 southern Democratic seats were safe by our definition, compared to 69 percent of the 153 non-southern Democratic districts.)

Overall, region explains the Democratic differences better than the competitiveness of congressional contests does. The competitiveness explanation predicts increasingly large differences in presidential support between safe and competitive district Democrats across the 93rd Congress as marginal legislators withdraw presidential support faster than safe-district legislators. In contrast, a regional explanation, citing either the greater conservatism of southern constituencies or the greater conservatism of the representatives themselves, would predict the uniform differences that the data display.

#### PRESIDENTIAL SUPPORT AND PRESIDENTIAL ELECTORAL STRENGTH

The second electoral reality we consider is the comparative electoral strength of the president and the representative in the congressional district. The literature supports the very plausible hypothesis that congressmen view the president's strength in their own districts relative to themselves as a guide to the popularity of the president and to the electoral consequences of support for the president's program. Past research suggests this hypothesis is particularly true of representatives of the president's own party. If so, after Nixon's landslide victory in 1972, representatives in districts where the president ran well relative to themselves should have given the president's program strong support early in the 93rd Congress. Representatives in districts with a weak presidential performance, having no such electoral incentive, should provide weaker support on the average. Across time, these initially significant differences between districts with strong and weak presidential electoral performances should diminish, as Nixon's falling popularity under Watergate disclosures would undermine his support from members representing those districts in which Nixon was initially strong.

For example, Edwards (1978) reports a path analysis of congressional sessions from 1953 to 1972, which estimates the relationship between presidential support scores of representatives and presidential electoral performance in their districts. His model includes party affiliation and the strength of political parties in the district. His major conclusion is that presidential electoral performance in congressional districts has a significant impact on overall domestic and foreign policy support and that this impact is greatest under Democratic presidents (p. 167).

Similarly, Harmon and Brauen (1979) estimate the impact of joint electoral outcomes on subsequent roll call votes from 1953 through 1973. They find that as the president's electoral margin over the representative increases by one percentage point, presidential support by the representative increases from one to five points. Their estimated effect for the first session of the 93rd Congress is that each percentage point presidential electoral margin over a representative contributed to a two-point increase in that representative's presidential support score.

As Harmon and Brauen note, the president's electoral strength has typically been measured in one of three ways: (1) the president as either leading or lagging the representative's vote in the district (Cummings, 1966; Weinbaum and Judd, 1970; Buck, 1972); (2) the absolute percentage of the president's vote in the district (Flinn and Wolman, 1966; Weinbaum and Judd, 1970; Martin, 1976; Schwarz and Fenmore, 1977; Edwards, 1978); and (3) the arithmetic difference between the president's and the representative's vote in the district (Weinbaum and Judd, 1970; Harmon and Brauen, 1979; Rivers and Rose, 1981). Our measure follows in the tradition of the first and third techniques in that it assumes that representatives judge the president's electoral strength in their districts by comparing it to their own. Given the safeness of most congressional districts, we define a comparatively weak presidential electoral performance as one in which the representative ran ahead of the president by more than 10 percentage points. A strong presidential performance is any congressional victory margin relative to the president of less than 10 points. This measure of presidential strength is randomly distributed across regions in the 93rd Congress in both Republican and Democratic districts.

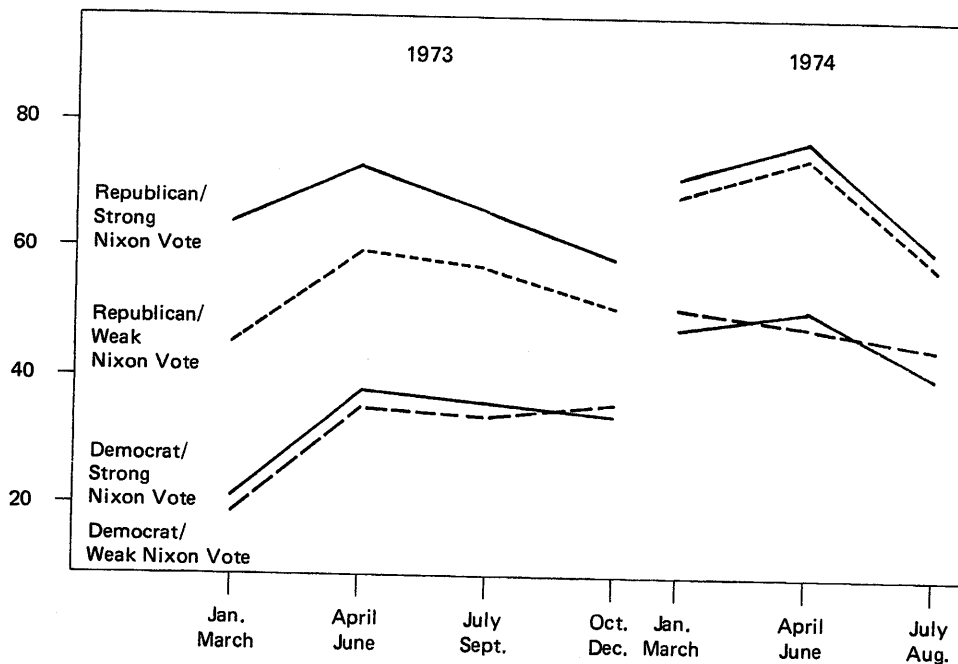
The differences in presidential support between districts where the president ran well and those in which he ran poorly should be greatest at the beginning of the 93rd Congress, when the election would be the most recent and reliable indicator of presidential electoral strength. Then, as the Watergate revelations caused Nixon's popularity to plummet across all of the districts to a national floor in the upper twenties, we would expect these initially large differences between the two categories of districts to narrow substantially.

In Republican districts, the hypothesis receives significant support. Figure 4 manifests the predicted initial difference in presidential support between the 174 Republican districts in which Nixon ran strongly in the 1972 landslide and the 20 districts in which he did not. The 11 percentage-point difference in the first session dwindles as expected to two points in the second session. Among Democrats, in contrast, there are no significant differences in presidential support between the 122 districts in which the president ran comparatively strongly and the 123 districts in which he did not.

On reflection, it is not surprising that Nixon's electoral strength in Democratic districts had no effect on Democratic support for his program. By virtue of their ideological and partisan affinity with Nixon, Republicans are more likely than Democrats to consider Nixon's vote in their districts as an initial measure of support for Nixon's program. Democrats, in contrast, may have been more inclined to blame the election outcome on McGovern's candidacy and the Vietnam war rather than to interpret Nixon's victory as support for his campaign positions and his legislative program. Then too, Nixon—never a popular president compared to Eisenhower or Kennedy—had not demonstrated coattail strength in either 1968 or in 1972. In 1968 the Republicans gained only five seats in Congress. Even in the 1972 landslide, the House Republicans gained only 12. Only five Democratic incumbents were beaten in 1968; only six in 1972 (Bibby et al., 1980: 8-9).

Of the many findings we have reported, perhaps the most counter-intuitive is the rise in presidential support for Nixon in 1974 as compared to 1973. One explanation is that the 1974 increase is a function of election cycle effects. For example, support for the president may typically increase in congressional election years. How-

FIGURE 4  
*Mean Presidential Support Scores by Presidential Electoral Strength*



ever, a review of presidential support scores by party and by year since 1953 does not support an election cycle explanation.

A second explanation is that Nixon, seeing his problems developing and recognizing the importance of congressional support, behaved according to the Law of Anticipated Reactions. As his problems increased, Nixon altered his legislative agenda as part of a larger anti-impeachment strategy.

#### THE PRESIDENT'S RESPONSE TO WATERGATE

Nixon began his second term in 1973 with the confidence instilled by a landslide victory and the knowledge that he was in his final term in office. He would, in Richard Nathan's (1975) terms, establish the "administrative presidency" and chart a course largely independent of the constraints represented by the Democratic majority in Congress and the predominantly liberal and Democratic "supergrade" civil servants in the bureaucracy.<sup>4</sup>

Anticipating his November victory, John Ehrlichman (1982: 361) reports that Nixon began planning for substantial changes in his second term in September.

On September 20, 1972, the President summoned Caspar Weinberger and me to Camp David for a two-hour monologue on how he intended to change things in his second term. This meeting was a landmark in several respects. First, it set radical and

austere budget levels for fiscal 1973. Second, it presaged the wholesale restaffing Nixon did after the election. And it shifted his domestic priorities, from race and the economy and the other political issues to the President's capture of the Executive Branch. We would reorganize as completely as the law allowed. We would repopulate the bureaucracy with our people. We would seek new laws to permit the dead (and disloyal) wood to be cast out.<sup>5</sup>

James Reichley (1981) presents a good account of the planning for the second term. He writes that a few days after the election (1981: 231),

. . . the President, accompanied by Haldeman and Ehrlichman, flew by helicopter to Camp David. Living in semi-isolation for almost two months, the three men, with the help of a few aides, plotted a course for the second term.

As Ehrlichman indicated, Nixon decided in these meetings to exploit his election victory on two main fronts. One was the fiscal goal of constraining the growth of federal spending. As Nathan observes (1975: 70), the meaning of the election was expressed, not in the State of the Union message as is customary, but in the tight-fisted budget for fiscal 1974, sent to Congress on January 29, 1973, which proposed the reduction or elimination of more than 100 federal programs. The budget strategy was allied to a second decision to terminate programs administratively and to impound funds. As we pointed out earlier in our discussion of Figure 1, congressional legislation to reverse these initiatives led to Nixon's low support scores in the first quarter of 1973.

The second goal was to increase White House control of policy formulation and implementation. On the day after the election, Nixon delivered orders through H. R. Haldeman requiring "that all appointed members of the administration should submit resignations and be prepared to accept new assignments" (Reichley, 1981: 233). Ehrlichman followed with his plan for administrative reorganization. He proposed a team of presidential assistants and cabinet officers to act as a supercabinet, overseeing all of the cabinet departments with the staff assistance of the Domestic Council he headed.

The energy behind the "administrative presidency" was already spent by the spring of 1973 as Watergate took its toll of the plan's champions. The Domestic Council's effectiveness was diminished by the indictments of Ehrlichman and two of the Council's assistant directors, Edward L. Morgan and Egil Krogh, Jr. Nathan surveys the wreckage of the administrative presidency as follows (1975: 76):

On April 30, 1973 John Ehrlichman, the driving force behind all of these preparations, was gone. Soon, too, the designations of the super secretaries were removed. As the new White House staff was assembled in the late spring and summer of 1973, it came into being in a far different setting. The mandate of 1972 was dissipated. Decisive action, including unneeded fights with program bureaucracies and congressional committees, could not be undertaken now.

This brief review suggests why we do not find more clear-cut congressional reduction in support for the president as his Watergate difficulties mounted. We are analyzing dynamic political events in which conscious decisions are being made on

all sides. Support for Nixon was low in early 1973 and lower overall in 1973 than in 1974 because Nixon began his term with a direct challenge to Congress and the bureaucracy. Looking back on the low levels of support for the president in 1973, members of both houses "attributed much of the change to the president's threats in the beginning of the year to dismantle long-standing social programs" (*Congressional Quarterly Weekly Report*, January 19, 1974: 99). The 1974 rebound in support may then be seen as a response to a softening of the president's stance toward Congress.

Speaking to a Young Republican gathering, February 28, 1974, Senator Barry Goldwater suggested that Nixon was shifting his position on legislation to "appease his would-be impeachers." He pointed out that Nixon's budget was abandoning such concepts as a reduction in social programs, the liberal use of the presidential veto, and the rigorous enforcement of spending ceilings and the impoundment of monies unwisely voted for by the Democratic Congress" (*Congressional Quarterly Weekly Report*, January 18, 1975: 150). In the same article, conservative Representative James M. Collins (R.-Tex.) justified the 17 percentage point drop in his presidential support score between 1973 and 1974 saying, "I'd say the President must have gone to the left."

Goldwater and Collins were only partly right. Nixon did moderate his legislative agenda in a direction designed to reduce conflict with a Democratic Congress. He also simply withdrew as a legislative leader—proposing fewer new programs and taking positions on fewer roll calls as the likelihood of impeachment increased.

#### THE CONTRACTION OF NIXON'S LEGISLATIVE AGENDA

Paul Light (1982) has developed the most refined measure of the president's agenda. The measure, reproduced in Table 1, is based on the clearance procedures of the Office of Management and Budget. OMB reviews all legislative requests, classifying them into one of three favorable clearance categories: "in accordance" with the president's program, "consistent with" it, and "no objection." Light classifies as the president's agenda only those proposals that are cleared "in accordance" with his program and which are, additionally, mentioned in the president's State of the Union message. Only domestic legislation is included.

Light observes from the table that "Presidents set their domestic agendas early and repeat them often" (1982: 41). After the initial year in a term, new proposals give way to repetitions of the old. Yet the contraction of Nixon's agenda in 1974 is more severe than other presidents' (1982: 41):

Of the five executives, Nixon faced the greatest drop, falling from twenty requests in 1973 to five in 1974. Johnson sustained his level of agenda activity the longest. Though most Presidents decline at roughly the same rate, Nixon's dramatic slip was related to the Watergate crisis: as the crisis expanded, Nixon's agenda contracted.

#### THE DECLINE IN PRESIDENTIAL POSITION-TAKING

Table 2 presents the fluctuating pattern of presidential position taking and success from 1972 to 1974. In 1972 Nixon took a position on only 11 percent of all roll

TABLE 1  
*Requests for Legislation, All Years, 1961-1980*

<i>President</i>	<i>Year</i>	<i>Total Requests</i>	<i>Total Repeats<sup>a</sup></i>
Kennedy	1961	25	0
	1962	16	8
	1963	6	12
Johnson I	1964	6	11
Johnson II	1965	34	4
	1966	24	7
	1967	19	8
	1968	14	12
Nixon I	1969	17	0
	1970	12	9
	1971	8	12
	1972	3	14
Nixon II	1973	20	3
	1974	5	11
Ford	1975	10	3
	1976	6	7
Carter	1977	21	0
	1978	8	3
	1979	8	5
	1980	4	7

<sup>a</sup>From the previous year's State of the Union address.

Source: Paul C. Light, *The President's Agenda* (1982), Baltimore: Johns Hopkins University Press: 42. Reprinted by permission.

calls, winning a very large majority (81%) of these votes. In contrast, in 1973 he took positions on many more roll calls (23%) and saw his success rate drop to only 48%. In 1974 Nixon returned to a more cautious stance toward Congress, taking positions on only 16% of roll calls and increasing his victory margin to 68%. Evidently, Nixon decided that a continuation of his aggressive stance toward Congress in 1973 would risk enlarging the pro-impeachment bloc if continued in 1974.

#### THE CURTAILMENT OF PRESIDENTIAL VETOES

The pace of presidential vetoes also gives evidence of Nixon's diminished willingness to challenge Congress in 1974. Table 3 presents the pattern for the Nixon and Ford administrations. During his first term, Nixon vetoed comparatively few bills for a president confronting a Congress controlled by the opposition party. He vetoed only 28 bills in his first term—and only 12 in his first three years. In contrast, Eisenhower vetoed 42 bills in his first term and 51 in the second. Yet, the 26 vetoes of 1972 and 1973 (11 of the 1972 vetoes coming after congressional adjournment in

TABLE 2  
*Presidential Position-Taking and Victories, 1972-1974*

<i>Year</i>	<i>Percent of Votes on Which Nixon Took a Position</i>	<i>Percent of Presidential Victories on Presidential Position Bills</i>
1972	11	81
1973	23	48
1974	16	68

Sources: *Congressional Quarterly Almanac* for individual years.

October) signal Nixon's adoption of a veto strategy after his landslide victory in November. The near abandonment of vetoes in 1974, then, is all the more striking. Elizabeth Drew (1976: 167) observed in her journal that Nixon signed into law in 1974 a bill requiring Senate confirmation of appointments to the posts of director and deputy director of OMB after having vetoed a similar bill in 1973. Ford, of course, showed no such reluctance to challenge Congress, vetoing 24 bills in the last five months of 1974 alone. But then, Ford was not about to be impeached.

#### POLICY ADJUSTMENTS

Despite the impressions of Goldwater and Collins that impeachment pressures caused Nixon to move to the left in 1974, the legislative record includes fewer exam-

TABLE 3  
*Presidential Vetoes in the Nixon and Ford Administrations*

<i>President</i>	<i>Total Vetoes</i>	<i>Regular Vetoes</i>	<i>Pocket Vetoes</i>	<i>Regular Vetoes Overridden by Congress</i>
<b>Nixon I</b>				
1969	0	0	0	0
1970	9	7	2	3
1971	3	2	1	0
1972	16	5	11	2
<b>Nixon II</b>				
1973	10	9	1	1
1974	2	2	0	0
<b>Ford</b>				
1974	24	13	11	4
1975	17	17	0	4
1976	20	15	5	4

Sources: Compiled from *Congressional Quarterly*, *Congress and the Nation*, Vols. III and IV. Note: Strictly speaking, these figures are for sessions of Congress rather than for calendar years. For example, Nixon's pocket veto at the end of the first session of the 93rd Congress on January 3, 1974 is tabulated as a veto for 1973.



ples than one might imagine. Nixon's positions on three historic challenges to his administration—the War Powers Act of 1973, the Budget Control and Impoundment Act of 1974, and the Federal Elections Campaign Amendments of 1974—are good tests of his willingness to resist congressional initiatives. Nixon vigorously opposed the War Powers Act, vetoing it on October 4, 1973. The congressional reversal of the veto in the House and the Senate on November 7 was the only successful override of a Nixon veto in 1973.

Similarly, Nixon opposed the impoundment provisions of the Budget Control and Impoundment Act. He supported on December 5, 1973 the unsuccessful amendment of Representative David Martin (R.-Neb.) to delete the impoundment provisions from the bill. However, having lost that fight, he took no position on final passage that day and took no position on subsequent votes in the Senate. Though still expressing misgivings about its impoundment provisions, he praised the bill in the signing ceremony on July 12, 1974 (*Public Papers of the Presidents, 1974*: 215-217).

When the Federal Elections Campaign Amendments Act was before Congress in 1973 and 1974, Nixon consistently opposed its public finance of campaign provisions. After the bill had passed the Senate and was before the House, Nixon submitted on March 8, 1974 a new proposal that omitted public finance. He threatened to veto the Senate bill, and, while taking no position on a series of amendments leading up to final passage in the House on the day of his resignation, he did oppose final passage. (Ford signed the bill into law.)

In sum, on none of these historic bills did Nixon clearly change his policy views in response to impeachment pressures. The record is ambiguous, however, and impeachment pressures aside, it is clear that he had strong reservations on policy grounds to the War Powers Act. In his memoirs, he argues that "the congressional bombing cutoff, coupled with the limitation placed on the president by the War Powers Resolution in November 1973, set off a string of events that led to the communist takeover in Cambodia and, on April 30, 1975, the North Vietnamese conquest of South Vietnam" (1978: 889). Moreover, although Congress ultimately included public finance of elections in the 1974 Amendments, Nixon's position against public finance had considerable support in Congress, especially in the House. Thus, his opposition to it was not necessarily against his self-interest in terms of impeachment pressures. Therefore, it is difficult to assess the relative importance of Nixon's policy views, congressional policy sentiment, and impeachment pressures in Nixon's stances toward these major acts.

A second obstacle to inferring impeachment effects from Nixon's policy adjustments is that the anti-impeachment coalition would have to include both liberals and conservatives. Elizabeth Drew (1976: 167) commented that Nixon, in deference to liberals, crafted his 1974 State of the Union message to be "conciliatory about domestic programs," and she explained its contrast with the 1973 message statement in terms of impeachment pressures. An example of a Nixon shift possibly designed to mollify liberals and Democrats might be his submission of legislation on February 6, 1974 to establish a Comprehensive Health Insurance Act (CHIP), a plan to require employers to offer their workers health insurance plans and to provide federally subsidized coverage for the poor and restructured Medicare coverage for the aged.

On the other hand, Nixon also wished to maintain the support of conservatives.

In its review of Nixon's relations with Congress in 1974, Congressional Quarterly's *Congress and the Nation* observes (1977: 919):

The actions which Nixon took to woo congressional conservatives included backing away from support of land use legislation [opposed by Western senators] and certain provisions of a bill to establish a Legal Services Corporation. A welfare bill which had been promised was never submitted.

In sum, the explanation of Nixon's increase in presidential victories from 1973 to 1974 is probably not a consequence of a large number of legislative shifts in a liberal direction. Rather the record suggests that Nixon won more victories in 1974 mainly because he abandoned actions that had aroused so much opposition in Congress in 1973, including impoundment and the active use of vetoes. By introducing only five new legislative agenda items in 1974 and by taking positions on comparatively few roll call votes, Nixon's primary response to Watergate was simply to withdraw as a legislative leader. Commenting on his isolation from Congress in 1974, Nixon admitted that he had lost the support even of his own party (1978: 972):

By the end of 1973, as the impeachment hearings drew near and as the prospect of the off-year elections threatened to become a personal barometer of public sentiment about me, even the solid middle-ground Republicans, including the party leadership in Congress, had begun to send out signals that unless I could dramatically turn the tide for myself, they would have to begin moving to arm's length. I complained that it was typical Republican minority-party jitters, but in fact it was largely my own fault. Too many who had tried to defend me in the past had been burned, and many no longer felt sufficiently confident or motivated to take further risks for me.

#### SUMMARY

We have tested a series of hypotheses on the timing and magnitude of the congressional response to Watergate and explored Nixon's counter-impeachment strategy. The results may be summarized as follows:

1. *Watergate Disclosures and Presidential Popularity.* Our hypothesis was that the Watergate disclosures would negatively affect Nixon's popularity with the public and that these negative public ratings would lower congressional support for Nixon's legislative program. The first link in the causal chain is clearly supported. Nixon's public approval rating fell rapidly in response to the disclosures in the first half of 1973, from above 60% in early 1973 to below 30% by the end of the year.

The consequence of falling popularity for his legislative program was far less dramatic than the loss of public support itself. After the initial quarter of 1973, when a small number of highly controversial votes lowered the presidential support figure, congressional support for Nixon's program did decline as predicted among both Democrats and Republicans. From the second to the fourth quarter, the Republican decline in support was 12 points; the Democratic decline, five. In 1974, the intra-session trends in support were neither large nor consistent, although presiden-

tial support did plummet on the final few votes in July and August just before Nixon's resignation. Overall, the Watergate disclosures and Nixon's falling popularity did affect his legislative support across the 93rd Congress, but by less than past research findings based on whole session averages would suggest.

2. *Party and Region.* As expected, partisan differences in presidential support were quite striking. Republican support exceeded Democratic support by 34 percentage points in 1973 and 23 points in 1974. In the main, Republican and Democratic presidential support moved in parallel across the 93rd Congress, with Republicans as fast to withdraw support from Nixon as Democrats. We infer then that Republicans followed an individualistic strategy in their stances toward Nixon's program rather than a collective strategy of hanging together as a party in support of his requests.

The regional alignments that mattered were those that separated maverick party regions—southern Democrats and eastern Republicans—from the core regions of both parties. Southern Democrats were consistently more supportive of Nixon than other Democrats, and eastern Republicans were consistently less supportive than other Republicans. These differences were undoubtedly rooted in the distinctive policy preferences of representatives and voters in southern Democratic and eastern Republican districts.

3. *Congressional Marginality.* The electoral marginality of representatives proved a poor predictor of roll call votes on the Nixon program. Competitive-seat Republicans voted as consistently for Nixon's program as safe-seat Republicans. Safe-seat Democrats did support Nixon more than marginal Democrats. However, this difference appeared to be the spurious consequence of the disproportionate location of Democratic safe seats in the south.

4. *Presidential Electoral Strength.* Among members of the president's party, the data supported the expectation that Republicans in districts where the president ran strongly relative to themselves would give Nixon his greatest legislative backing. The differences in legislative support between districts where Nixon ran well and those where he ran badly diminished over the 93rd Congress as new information replaced the election as a cue to the electoral consequences of supporting Nixon's program.

Among Democratic representatives, the electoral record of the president had no effect on presidential support at any point in the 93rd Congress. We speculate that Nixon's weak coattails in both 1968 and 1972 led Democratic incumbents to conclude they had little personally to fear from opposing his program. Moreover, his popularity may have fallen to such a low point so early in the 93rd Congress that even in districts where Nixon had run strongly, Democratic representatives did not feel electorally threatened by opposition to him.

5. *Nixon's Counter-Impeachment Strategy.* Watergate destroyed Nixon's hopes that he could exploit his 1972 victory by a direct challenge to Congress and the bureaucracy. Initiatives such as fiscal austerity, impoundment, and administrative reorganization could not prevail against a Congress strengthened by Nixon's loss of public support. The 1972 election, the largest presidential plurality since 1936, was followed in 1973 by the lowest presidential success score since *Congressional Quarterly* instituted its time series in 1953.

Facing growing impeachment pressures, Nixon was forced to modify his attack

on congressional prerogatives. In 1974 Nixon added only five proposals to his domestic legislative agenda, took positions on only 16% of the roll calls in the House, and vetoed only two bills. By avoiding controversial policy initiatives that might antagonize Congress, Nixon anticipated and helped forestall a further decline in congressional support. The increase in his support score in 1974 over 1973 is spurious; it is the consequence of presidential weakness, not strength.

In conclusion, this study has examined the strategic responses of the president and Congress to Watergate. Decisions in crisis are extensions of the patterns of normal politics. Nixon's withdrawal from legislative leadership is probably the typical response of presidents to growing congressional opposition. For example, President Ford's adoption of a veto strategy in the context of his political weakness induced by the 1974-75 recession and the Nixon pardon contributed to a success rate on presidential position votes that fell successively from 59 percent in 1974 to 51 percent in 1975 to only 43 percent in 1976. Ford responded by taking fewer positions on roll call votes each year of his truncated administration—from 27 percent of all roll calls in 1974 to only eight percent in 1976. Presidents have a limited number of options when their reputations with the public and Washingtonians are in decline. Keeping his head in the foxhole may be a president's best available response.

### Notes

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<sup>1</sup>There is disagreement in the literature regarding the most appropriate measure of presidential influence over Congress. *Congressional Quarterly* has calculated three different measures over the years: the presidential boxscore, the presidential support score, and key votes. In addition, Paul Light (1982) has developed a promising measure he calls the president's agenda score. Sigelman (1979), Light (1982), and Rivers and Rose (1981) provide a good discussion of the merits of each measure. For our purposes we rejected Light's agenda score and Sigelman's revised boxscore on grounds that each is based on so few votes (e.g., five and four roll calls respectively for Nixon's 1974 term) that we could not even calculate annual success rates for so small a sample, not to mention the intra-session success rates that we also investigate. We selected the CQ's support score over its boxscore for two reasons: First, the boxscore was discontinued in 1975; future studies of presidential influence cannot be compared to studies based on it. Second, if a presidential proposal is introduced in one year but does not pass until the second, the boxscore counts it as a failure in the first and a success in the second, an important limitation of the boxscore in Light's view. In any case Light notes that both the boxscore and the support score behave comparably in the 93rd Congress, with presidential success being higher in 1974 than in 1973.

The presidential support scores we calculate may be somewhat different than those reported by *Congressional Quarterly Weekly Report* (Jan. 19, 1974: 101). CQ counts failure to vote against one's support totals. We count announced positions and pairs as though they are real votes. Failure to vote does not lower the scores we calculate.

<sup>2</sup>The events included in the Watergate chronology were extracted from a much longer list published by *Congressional Quarterly* in its publication, *Watergate: Chronology of a Crisis* (1973).

Key Number	Date	Event
	1973	
1	Feb. 7	Senate votes to establish the select committee on Watergate.
2	March 23	Sirica reads McCord letter charging that persons besides those convicted in federal court were involved in Watergate.
3	April 17	Nixon agrees to permit aides to testify before Ervin committee and acknowledges that "serious things have come to my attention."
4	April 30	Haldeman, Ehrlichman, Kleindienst resign; Dean fired.
5	May 10-17	Mitchell and Stans indicted by New York federal grand jury; Ervin committee hearings open.
6	July 16	Butterfield testifies that White House tapes exist.
7	Aug. 29	Sirica orders Nixon to turn over Watergate tapes.
8	Oct. 10	Agnew resigns.
9	Oct. 20	Saturday Night massacre.
10	Nov. 21	18-minute tape gap reported.
11	March 2	Seven former White House aides indicted.
	1974	
12	April 3-11	Nixon agrees to pay back taxes of \$467,000; Judiciary Committee subpoenas president to obtain White House records.
13	April 30	Nixon makes edited transcripts public.
14	July 24-27	Supreme Court rules against Nixon's claim of executive privilege as a basis for refusal to comply with subpoena; Judiciary Committee votes first article of impeachment.
15	Aug. 8	Nixon resigns.

<sup>3</sup>It is, of course, possible that the decline in support scores from the second to the fourth quarters reflects some more general trend in roll call voting, such as a pattern in which party cohesion falls within a session in response to some unmeasured cause. In recognition of this possibility, we plotted a control line—party cohesion scores—based on the same time intervals for which presidential scores were calculated. The roll calls selected for the party cohesion scores were all contested bills on which the president took no position. This party cohesion score is quite flat across the entire 93rd Congress for both parties, varying randomly in all but the first quarter of the first session between 72 and 78 percent cohesion levels. Thus, there are no intra-session patterns of party cohesion that would explain our trends in presidential support on an artifactual basis.

<sup>4</sup>Joel D. Aberbach and Bert A. Rockman (1976: 466-467) conclude from their 1970 survey of federal bureaucrats: "Our findings document a career bureaucracy with very little Republican representation but even more pointedly portray a social service bureaucracy dominated by administrators ideologically hostile to many of the directions pursued by the Nixon administration in the realm of social policy." Reichley (1981: 236) reports that this finding was "frequently cited with relish" by defenders of the Nixon administration, including Nixon himself.

<sup>5</sup>We believe that Ehrlichman meant fiscal 1974, which would begin July 1, 1973.

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