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**PRESIDENTIAL  
INFLUENCE ON THE  
FEDERAL BUDGET**

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2016

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## ***I. Introduction***

Though the importance of the President's budget request has declined somewhat in the last 40 years, the proposal remains a seminal statement of the President's spending preferences and legislative agenda and plays a significant role in the negotiations between Congress and the executive branch over federal spending.<sup>1</sup> Submitted to Congress on the first Monday in February each year,<sup>2</sup> the budget proposal is a key tool for the President to exert influence over the congressional budgeting process through various persuasive and political means.<sup>3</sup> Consequently, in spite of the lack of a formal role for the budget proposal in Congress' budgeting, data on enacted spending levels shows that presidents' budget proposals appear to have significant influence on the appropriations levels that Congress eventually adopts. Similarly, research suggests that presidents effectively leverage both the budget proposal as an opening move and the threat of a presidential veto of proposed appropriations legislation later in the budgeting process as mechanisms to ensure that their policy preferences are reflected in spending levels.

This briefing paper summarizes the available social science research that describes the means through which the President is able to influence federal spending. After first describing the shape of the modern budget process, which since 1974 has given the President little formal power, the paper then examines the specific means through which the President is able to exert influence over the budget, describing several studies that have included empirical analyses of the extent to which the President is able to realize his spending-related goals. In spite of the now widely held belief that the President's budget proposal has little impact on congressional

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<sup>1</sup> ALLEN SCHICK, *THE FEDERAL BUDGET: POLITICS, POLICY, PROCESS* 85 (3rd ed. 2007).

<sup>2</sup> ELIZABETH GARRETT, ELIZABETH GRADY & HOWELL E. JACKSON, *FISCAL CHALLENGES: AN INTERDISCIPLINARY APPROACH TO BUDGET POLICY* 16 (2008).

<sup>3</sup> SCHICK, *supra* note 1 at 85.

budgeting, much of the literature suggests that the President is able to realize significant influence over federal spending through her budget proposal, her ability to threaten a presidential veto, and other means. The paper then analyzes the literature on the aspects of federal spending that the President is able to influence, including its total level, its geographic distribution, and its programmatic distribution, the latter two of which the President can use executive branch powers to control after the budget process has concluded. What emerges from the available research is that presidents, through the various means available to them, are able to exert significant power over federal appropriations, starting at the beginning of the congressional budgeting process and stretching through funds' disbursement through the federal bureaucracy.

## *II. The budget process*

The modern presidential role in budgeting began to take shape with the adoption of the Budget and Accounting Act of 1921, which requires the President to submit an annual budget request to Congress on behalf of every agency.<sup>4</sup> Prior to 1921, agencies frequently submitted funding requests directly to Congress with little coordination,<sup>5</sup> leaving the House Ways and Means and the Senate Finance Committees to assess relative priorities and create spending and revenue legislation.<sup>6</sup> The 1921 law, intended to create an efficient budgeting process that could take a holistic look at federal priorities instead of handling each department in a piecemeal fashion, also created the Bureau of the Budget, renamed the Office of Management and Budget in 1970, and tasked it with the creation of the yearly proposal.<sup>7</sup> But the act did not represent a fundamental shift in spending power, leaving intact Congress' constitutionally granted control

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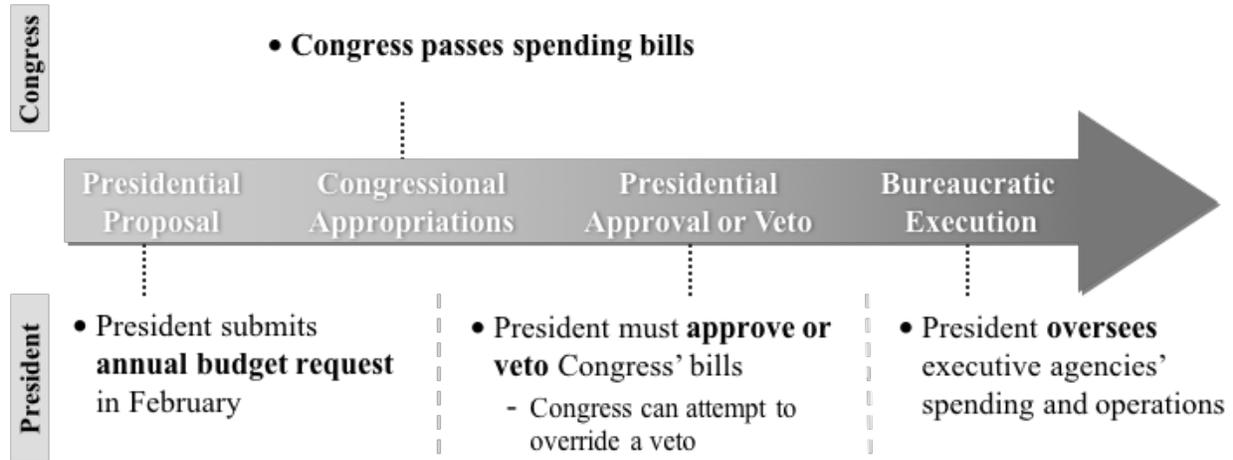
<sup>4</sup> *Id.* at 14.

<sup>5</sup> *Id.* at 14.

<sup>6</sup> *Id.* at 10.

<sup>7</sup> *Id.* at 14.

over federal spending; indeed, Congress is not even required to address the President’s proposal directly and can, and does, instead substitute its own preferences.<sup>8</sup> As a result, each year’s spending levels are determined by Congress through its normal legislative process, and must be approved either by the President or through the veto override process.<sup>9</sup>



**Figure 1: Presidential and congressional roles in the federal budgeting process**

For the following half-century, the President thus had significant power over the budgeting agenda, since his budget office created the financial estimates then relied on by Congress during its lawmaking, giving the President significant opportunities to propose a legislative agenda alongside each annual budget proposal.<sup>10</sup> In 1974, Congress trimmed the President’s role in budgeting with the passage of the Congressional Budget and Impoundment Control Act, which created the Congressional Budget Office to provide Congress with its own financial analysis of the federal government’s fiscal outlook.<sup>11</sup> Though the President, still required to submit a budget request each year, retained the essence of his role in budgeting, the

<sup>8</sup> GARRETT, GRADDY, AND JACKSON, *supra* note 2 at 16–17.

<sup>9</sup> SCHICK, *supra* note 1 at 14.

<sup>10</sup> *Id.* at 17.

<sup>11</sup> *Id.* at 18.

importance of this responsibility has begun to fade as Congress increasingly makes its own decisions.<sup>12</sup> As a result, presidents' effect on the federal budget now depend largely on their political ability to leverage the tools at their disposal to influence the congressional budgeting process.<sup>13</sup>

### *III. The President's influence on the budget*

#### *a. Summary*

Though the President's formal role in the budgeting process is both clearly delineated and lacking in direct control of enacted spending levels, the President nonetheless exerts significant influence on the appropriation levels that result. First, at the beginning of the congressional budgeting process, the President sets the tone of the budget discussion with her budget proposal, providing an effective starting point for negotiations with Congress that creates figures and proposals onto which the public, the media, and interest groups may anchor. This starting point constrains Congress politically into a range of spending levels that the President might find acceptable, forcing the legislature to accommodate the President's preferences, especially on domestic spending areas. The best evidence available suggests that including funding requests in the presidential budget proposal is, indeed, effective at moving Congress to enact appropriations, especially when combined with other politically persuasive tools such as appeals to the public, even when the President's party does not control Congress.

Then, as budget negotiations proceed, while the President cannot directly prescribe funding levels, the eventual budget requires either her approval or an override of her veto by a supermajority of both houses of Congress. Because the latter is generally much more difficult to

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<sup>12</sup> *Id.* at 19.

<sup>13</sup> *Id.* at 85.

achieve than the former, Congress' need to seek the President's signature on its budget creates an effective need for Congress to meet a sufficient number of the President's demands. As a result, a presidential threat to veto a spending bill almost always results in concessions from Congress. Though veto threats are likely most effective when the President seeks to constrain federal spending, rather than to increase it, evidence suggests that presidents are able to use veto threats with great effect to either end.

Finally, after the congressional budgeting process concludes, presidents can influence the distributions of federal spending within and among programs using their role as the leader of the executive branch. Evidence suggests that presidents use this power in pursuit of electoral goals, distributing more federal funding to areas that are electorally important to presidential elections or politically loyal to the President's party. Because these distributional decisions are subject to less oversight than congressional earmark spending and are made opaque by the federal bureaucracy, they largely escape direct scrutiny but nonetheless reflect presidential power.

***b. Means of presidential influence on enacted spending levels***

***i. The President's budget proposal***

The most visible, explicit means by which the President can attempt to influence both overall federal budget policy and specific line items within the budget is through her legally required budget proposal. Though it is frequently said to be "dead on arrival" to Congress,<sup>14</sup> its impact on the federal budget has been the topic of a significant amount of academic research spanning the modern era of federal budgeting. Though earlier studies argued that the impact of the presidential budget was likely to be minimal, given that its proposals would be closely linked to the President's electoral mandate and thus easily anticipated by all parties, more recent studies

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<sup>14</sup> *Id.* at 90.

that have performed empirical analyses of budget outcomes have demonstrated that the presidential budget has clear influence over at least some aspects of adopted budgets.

### *1. The budget proposal's role in negotiations with Congress*

The presidential budget proposal likely influences Congress' eventual enactment primarily by serving as a powerful signal to legislators of the President's policy preferences, implicitly drawing on the presidential power of persuasion, her existing relationship with legislators, public sentiment, and the presidential veto power. Because the President is able to use her budget proposal strategically as one powerful tool in her toolkit of political influence, she can likely magnify its impact well beyond its formal role, thus potentially minimizing the need to rely on the presidential veto power to block undesired policies. Though the impact of the President's budget proposal is likely larger in foreign policy areas than in domestic programs, this likely reflects the President's much larger executive role in foreign affairs than in domestic programs, rather than a particular feature of the budgeting process.<sup>15</sup> Similarly, while the President's budget proposal is closer to enacted spending levels in both domestic and foreign programs during wartime than in peacetime, this distinction could simply reflect that the President and Congress have less divergent policy views during wartime.<sup>16</sup>

Kiewiet and McCubbins argued in 1985 that the President's budget takes its influence from its role as the most important step in a bilateral negotiation between Congress and the President.<sup>17</sup> Arguing that the President's preferences are likely derived from her electoral

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<sup>15</sup> Brandice Canes-Wrone, William G. Howell & David E. Lewis, *Toward a Broader Understanding of Presidential Power: A Reevaluation of the Two Presidencies Thesis*, 70 J. POL. 1, 9 (2008).

<sup>16</sup> William G. Howell, Saul P. Jackman & Jon C. Rogowski, *The Wartime President: Insights, Lessons, and Opportunities for Continued Investigation*, 42 PRESIDENTIAL STUD. Q. 791, 140 (2012).

<sup>17</sup> D. Roderick Kiewiet & Mathew D. McCubbins, *Appropriations Decisions as a Bilateral Bargaining Game between President and Congress*, 10 LEGIS. STUD. Q. 181, 182 (1985). See Appendix B for a description of their research design.

coalition, they reasoned that the presidential budget would likely reflect the same influence, with a further eye toward how Congress is likely to respond to the President's proposal, given its current politics.<sup>18</sup> Congress, in turn, will adopt spending levels that diverge from the President's proposal only within a range that is nevertheless likely to receive presidential approval.<sup>19</sup> Finding through analysis of 30 years of budget data that the mutual anticipation between the President and Congress of the other actor's power and preferences tended to reduce differences between the President's proposed budget and the enacted budget, the researchers concluded that the two did employ a strategy of accommodation, with the President proposing a reasonable budget and the Congress responding in turn with a budget that the President would sign.<sup>20</sup> Presidents who fail to accommodate Congress' preferences may be less effective at getting their proposals enacted; for example, the unrealistic defense requests submitted by President Reagan and his Secretary of Defense Caspar Weinberger were insufficiently accommodative and thus all but ignored by Congress.<sup>21</sup>

The tendency toward congressional accommodation of the President, if real, naturally gives the President significant power over the budget, and the President's budget proposal thus likely serves as an early warning to Congress about the spending levels she is willing to accept. Dearden and Husted argued in 1990 that the President uses her budget proposal strategically, proposing a budget that includes spending levels that differ from her actual preferences so that the eventually adopted budget's spending levels are closer to her actual preferences than directly

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<sup>18</sup> *Id.* at 182–83.

<sup>19</sup> *Id.* at 183.

<sup>20</sup> *Id.* at 197.

<sup>21</sup> D. RODERICK KIEWIET & MATHEW D. MCCUBBINS, *THE LOGIC OF DELEGATION: CONGRESSIONAL PARTIES AND THE APPROPRIATIONS PROCESS* 198 (1991).

proposing those levels could have caused.<sup>22</sup> As a result, they reasoned, the presidential veto is likely used less than it would otherwise be, since the President has an effective tool both to telegraph her preferences well in advance of the budget's adoption and to use the proposal as a negotiation tactic, anchoring beyond the least desirable spending level she would be willing to accept.<sup>23</sup> Although the President is already able to anticipate congressional response to her budget based on its balance of power, Congress does not have a similar view into the President's preferences, making the budget proposal an important tool to share information about executive preferences.<sup>24</sup> Given the President's status and authority, her budget proposal may theoretically be more persuasive to Congress than its nonbinding nature suggests,<sup>25</sup> especially because the President can leverage ongoing relationships with members of Congress, which will naturally be colored by presidential prestige and power, to help ensure that her proposals wield influence.<sup>26</sup>

The influence of presidents' budget proposal likely comes both from the presidential veto power and from the President's ability to leverage congressional and electoral resources during budget negotiations.<sup>27</sup> Fitts and Inman argued in 1991 that presidents have had significant influence on domestic spending and tax expenditures, generally toward reducing outcomes,<sup>28</sup> using three main sources of influence. First, the President can leverage her ability to offer "coattail" benefits to copartisan members of Congress, for example by crediting them publicly

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<sup>22</sup> James A. Dearden & Thomas A. Husted, *Executive Budget Proposal, Executive Veto, Legislative Override, and Uncertainty: A Comparative Analysis of the Budgetary Process*, 65 PUB. CHOICE 1, 16 (1990).

<sup>23</sup> *Id.* at 16.

<sup>24</sup> *Id.* at 16.

<sup>25</sup> RICHARD E. NEUSTADT, *PRESIDENTIAL POWER AND THE MODERN PRESIDENTS: THE POLITICS OF LEADERSHIP FROM ROOSEVELT TO REAGAN* 30–32 (1990).

<sup>26</sup> *Id.* at 49.

<sup>27</sup> Michael Fitts & Robert Inman, *Controlling Congress: Presidential Influence in Domestic Fiscal Policy*, 80 GEO. L. J. 1737, 1757 (1991).

<sup>28</sup> *Id.* at 1738.

with assistance on particular legislation or appearing at their campaign events.<sup>29</sup> Second, she may use other presidential powers, such as judicial appointments, to offer legislators advancement of unrelated policy agenda items in exchange for support on budget issues.<sup>30</sup> For example, both Presidents Reagan and Bush, but especially Bush, used judicial appointments to build conservative alliances in Congress based upon the social issues relevant to the appointments, which they could then use to advance their fiscal agendas.<sup>31</sup> Finally, the President may use her control over the executive branch to move the eventual execution of certain policies toward legislators' preferences.<sup>32</sup> Using these means, the researchers argue that presidents have exerted significant influence at critical junctures in the history of American fiscal policy, including Roosevelt's campaign for Social Security, Kennedy and Johnson's war on poverty, and Reagan's extensive changes to discretionary programs and tax levels.<sup>33</sup> By using these means of presidential influence in combination with strategic application of vetoes and veto threats, presidents can build congressional coalitions in support of even relatively major requests contained in the presidential budget proposal, using the proposal to ensure that members of Congress who oppose it face the full political costs of standing against the President.<sup>34</sup>

Finally, presidents' budget proposals likely also wield influence over federal spending because presidents can use them as tools to appeal to the public directly, putting pressure on Congress by means of the citizens who elected them.<sup>35</sup> Canes-Wrone's 2006 analysis of 43 years of federal budgets and presidential public addresses found that presidents are most likely to

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<sup>29</sup> *Id.* at 1757–58.

<sup>30</sup> *Id.* at 1758.

<sup>31</sup> *Id.* at 1758.

<sup>32</sup> *Id.* at 1758.

<sup>33</sup> *Id.* at 1756.

<sup>34</sup> *Id.* at 1769.

<sup>35</sup> BRANDICE CANES-WRONE, WHO LEADS WHOM? PRESIDENTS, POLICY, AND THE PUBLIC 51 (2006).

publicize their budget proposals when their contents are likely to be *more* popular with the public than they are with Congress, thus making a public appeal a potentially effective tool improve their chances in Congress.<sup>36</sup> The President is also more likely to go public about a budget request, the analysis showed, when Congress is less likely to grant the request absent outside intervention, suggesting that presidents at least believe that public appeals are likely to be effective in persuading Congress and are not simply seeking attention for attention's sake.<sup>37</sup> Presidents are also more likely to appeal to the public about larger budgetary proposals, further suggesting that they believe appeals to be an effective tool to enact major legislation.<sup>38</sup>

## ***2. The magnitude of the budget proposal's impact***

In spite of the several mechanisms through which presidents can theoretically exert some influence during the budget process, the President's budget proposal is frequently regarded by Washington observers as "dead on arrival" when it gets to Congress, a prognostication that the proposal will have little influence on Congress' decision-making since it plays no formally controlling role in the budgeting process.<sup>39</sup> But the President's ability to leverage the budget proposal through the means described above likely means that the proposal does play a significant role in the process. Several academic studies have provided significant evidence that Congress' eventually enacted appropriations reflect the influence of the President's proposal.

Kiewiet and McCubbins' 1988 analysis of the influence of the President's budget on demonstrated strong impact on congressional appropriations to domestic programs.<sup>40</sup> Their analysis of 38 years of budget data showed that the President's budget request was effective at

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<sup>36</sup> *Id.* at 70. See Appendix B for a description of Canes-Wrone's research design.

<sup>37</sup> *Id.* at 72.

<sup>38</sup> *Id.* at 73.

<sup>39</sup> SCHICK, *supra* note 1 at 90.

<sup>40</sup> KIEWIET AND MCCUBBINS, *supra* note 21 at 197. See Appendix B for a description of their research design.

influencing both agency-level and bill-level spending decisions, with more impact on bill-level decisions, likely because these enactments are often based on forecast spending that is inherent in the nature of the spending and thus difficult to change from the requested level.<sup>41</sup> But their analysis did not attempt to separate the President's priorities from general partisan priorities and other outside influences, such as macroeconomic influences.<sup>42</sup>

Krause and Cook's 2015 analysis of the presidential budget proposal's influence took a dramatically more rigorous approach, separating externally induced and internally induced budgetary preferences to account for presidents' need to anticipate Congress' reaction to the budget proposal and the strategic need to anticipate that the President cannot get everything she asks for.<sup>43</sup> Internally induced preferences include presidents' intrinsic policy priorities, outside of political and other concerns, while externally induced preferences include presidents' estimation of spending levels that are likely to be acceptable to Congress, given political and economic concerns.<sup>44</sup> While the President always has the power to propose a federal budget, she may often attenuate her use of that power to account for political and economic circumstances.<sup>45</sup> The researchers separate these two influences by estimating the size of external influences through a regression of several political and economic factors against presidential budget requests, producing an estimate of external influence for each year studied.<sup>46</sup> These estimates then allowed the researchers to isolate the internally induced portion of each budget request and to investigate

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<sup>41</sup> *Id.* at 195–96.

<sup>42</sup> *Id.* at 197.

<sup>43</sup> George A. Krause & Ian Palmer Cook, *Partisan Presidential Influence over US Federal Budgetary Outcomes: Evidence from a Stochastic Decomposition of Executive Budget Proposals*, 3 *POL. SCI. RES. & METHODS* 243, 245 (2015). See Appendix B for a description of their research design.

<sup>44</sup> *Id.* at 245.

<sup>45</sup> *Id.* at 247.

<sup>46</sup> *Id.* at 249–52.

how much of presidents' actual policy desires reflected in the budget proposal is then incorporated into congressional appropriations.<sup>47</sup>

Krause and Cook's empirical findings provide significant evidence that a President's independent policy priorities can directly impact legislative appropriation outcomes even when a Congress controlled by the opposing party tries to limit presidential authority in budgeting, suggesting that presidents' power to shape the federal budget is greater than the extent to which they must surrender to congressional priorities.<sup>48</sup> Using factors such as congressional control, economic conditions, the federal fiscal outlook, and budget restrictions in effect as external circumstances likely to affect the President's budget, Krause and Cook attempted to separate the internal and external aspects of about 40 years of presidential budget requests to allow the examination of presidents' success in realizing only their internally induced preferences.<sup>49</sup> Their analysis shows that Congress responds even more strongly to the President's internally induced preferences, as reflected in her budget proposal, than to her externally induced preferences: Each 1 percent increase in the President's internally induced spending preference reflected in the presidential budget proposal yielded a 1.531 percent in congressional appropriations, compared with just 0.881 percent for externally induced preferences reflected in the proposal, demonstrating the President's independent ability to influence congressional budgeting through her budget proposal.<sup>50</sup> (See Chart 1 in Appendix A.) The authors describe this effect as a reflection that "presidential influence over congressional appropriation decisions is

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<sup>47</sup> *Id.* at 245.

<sup>48</sup> *Id.* at 262.

<sup>49</sup> *Id.* at 249–54.

<sup>50</sup> *Id.* at 259.

comparatively stronger than the impact of executive acquiescence reflected as a result of the budgetary process.”<sup>51</sup>

The researchers also found that presidents are effective at translating their internally induced budget preferences into law regardless of whether their party is in control of Congress, though budget outcomes are indeed generally more reflective of the President’s internally induced preferences during periods of *divided* party government, suggesting that presidents worry less about negative congressional reception to their budget proposals when their party is in control of Congress and that the veto threat is both more necessary and more effective.<sup>52</sup> This effect likely also appears because more of presidents’ internal preferences become, in essence, external preferences when they are shared with Congress, as they are likely to be during unified government.<sup>53</sup> When Congress is controlled by the opposing party, the researchers reason, presidents incorporate *personal* preferences into the budget more strongly, rather than deferring to congressional leaders from their own party as they might during unified government, and are then able to wield the veto threat — rarely deployed, of course, against a President’s own party — to give the proposal muscle.<sup>54</sup>

Finally, the power of the budget proposal is likely magnified by presidential public appeals regarding the budget proposal, which appear to have a significant influence on congressional action. Canes-Wrone’s 2006 analysis found that the percentage change in enacted spending levels is, on average, 11 to 16 percentage points closer to the President’s requested

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<sup>51</sup> *Id.* at 262.

<sup>52</sup> *Id.* at 260.

<sup>53</sup> *Id.* at 260.

<sup>54</sup> *Id.* at 262.

change in cases where the President has made a public appeal regarding that proposal.<sup>55</sup> Further, this estimate likely systematically underestimates the impact of a public appeal, since the President likely proposes a larger budgetary shift than she actually prefers to make her proposal more effective in negotiations.<sup>56</sup>

*ii. The veto threat*

Though the President's budget proposal has no legally required role in Congress' budgeting process, Congress must give the President's policy preferences some consideration, since it must nevertheless eventually win the President's approval of its budget or prepare to override a presidential veto with a two-thirds supermajority.<sup>57</sup> Because presidential influence in Congress generally makes building a one-third coalition relatively easy, override attempts are usually politically difficult.<sup>58</sup> Indeed, only 14.5% of appropriations bill vetoes since 1789 and 11.6% since 1961 have been overridden, making overrides rare but not impossible.<sup>59</sup> Given the difficulty of overriding, the true power of the presidential veto likely comes simply in the form of the veto *threat*, which are extremely effective at persuading Congress to change proposed legislation.<sup>60</sup> Indeed, by one measure, 90 percent of presidential veto threats result in at least some congressional concessions in the contents of a bill, making them a potent tool to influence Congress<sup>61</sup> and one regularly used by presidents,<sup>62</sup> most often during periods of divided government when Congress' preferences are less likely to align with the President's.<sup>63</sup>

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<sup>55</sup> CANES-WRONE, *supra* note 35 at 76.

<sup>56</sup> *Id.* at 76.

<sup>57</sup> KIEWIET AND MCCUBBINS, *supra* note 21 at 188.

<sup>58</sup> David W. Rohde & Dennis M. Simon, *Presidential Vetoes and Congressional Response: A Study of Institutional Conflict*, 29 AM. J. POL. SCI. 397, 405 (1985).

<sup>59</sup> Kevin R. Kosar, *Regular Vetoes and Pocket Vetoes: An Overview*, 15 CURRENT POL. & ECON. U.S. CAN. & MEX. 405, 409 (2013).

<sup>60</sup> CHARLES M. CAMERON, VETO BARGAINING: PRESIDENTS AND THE POLITICS OF NEGATIVE POWER 193 (2000).

<sup>61</sup> *Id.* at 188.

Veto threats cannot directly alter proposed legislation, but rather are simply a tool in the negotiation between presidents and Congress, and while they are effective, presidents generally cannot realize *every* legislative goal they pursue.<sup>64</sup> But because concessions that address at least some of presidents' concerns about proposed laws are so common in response to veto threats, threats are far more common than vetoes themselves.<sup>65</sup> Because the threat alone tells Congress that certain spending levels will not win presidential approval, it is less likely to adopt those levels, leaving the veto itself largely unused but nevertheless an important tool for the President.<sup>66</sup> Congress may also realize that the President's veto threat increases the political cost to the President of signing a bill that she had promised to veto, underscoring that Congress has no choice but to pass a bill that will allow the President to sign it without becoming a liar.<sup>67</sup> As such, the threat of a presidential veto likely plays a significant influence on budget negotiations between Congress and the President, even when the veto itself goes unused.

In 1988, Kiewiet and McCubbins expanded their theory of presidential budget influence to argue that the President's power is more effective at restraining Congress when she prefers a *lower* level of spending than the legislature, because she may threaten to veto Congress' proposed budget when it exceeds her preferences but has no power to modify the proposal.<sup>68</sup> As a result, the President can effectively stand in the way of allowing a higher level of spending than she prefers by vetoing the relevant bill, but when she wants a higher level of spending, her interests may be better served by accepting Congress' proposal, giving the presidential veto

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<sup>62</sup> *Id.* at 179.

<sup>63</sup> *Id.* at 193.

<sup>64</sup> *Id.* at 179–81.

<sup>65</sup> *Id.* at 193.

<sup>66</sup> JOHN B. GILMOUR, STRATEGIC DISAGREEMENT: STALEMATE IN AMERICAN POLITICS 119 (1995).

<sup>67</sup> CAMERON, *supra* note 60 at 196–97.

<sup>68</sup> D. Roderick Kiewiet & Mathew D. McCubbins, *Presidential Influence on Congressional Appropriations Decisions*, 32 AM. J. POL. SCI. 713, 714 (1988).

power an asymmetrical nature.<sup>69</sup> Analyzing 31 years of budget proposals and spending levels through 1979, the researchers found that the presidential budget proposal had a much stronger effect on the final appropriations figures when the President desired a lower level of spending than Congress did.<sup>70</sup> Though the data also showed that the presidential budget proposal had an impact on enacted spending even when the President preferred higher levels than Congress did, the asymmetry in the impact's magnitude appears to confirm that at least some of the President's power to influence spending levels may be asymmetrical, perhaps suggesting that Republican presidents, who may be more likely in general to attempt to restrain federal spending, are likely to have more leverage in negotiations with Congress than Democratic presidents seeking higher levels of spending.<sup>71</sup>

But more recent empirical analyses suggest that presidents can effectively influence spending levels regardless of whether they prefer to raise or lower them. A 2000 study by Kiewiet and Krehbiel revisited the influence of the President's party on overall expenditures, finding that spending generally fell when a Republican presidency took over from a Democratic one and rose when the opposite happened, removing some support for the asymmetry theory.<sup>72</sup> They also found that this power remained constant over the course of a presidential administration, suggesting that presidents' power to influence spending is ongoing throughout their term and not related to the transition of partisan control.<sup>73</sup>

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<sup>69</sup> *Id.* at 714.

<sup>70</sup> *Id.* at 728.

<sup>71</sup> *Id.* at 729.

<sup>72</sup> KEITH KREHBIEL & D. RODERICK KIEWIET, DOMESTIC DISCRETIONARY APPROPRIATIONS, 1950-1999 HERE'S THE PRESIDENT. WHERE'S THE PARTY? 14 (2000), <https://ideas.repec.org/p/ecl/stabus/1644.html> (last visited Mar 27, 2016).

<sup>73</sup> *Id.* at 15.

Krause and Cook's 2015 empirical analysis further suggests that presidents do, in fact, have success when asking for increased spending levels in the budget proposal, suggesting that the veto threat could be a potent tool to persuade Congress to raise spending, even if it is a more powerful tool to persuade them to lower it.<sup>74</sup> Each request for a 1 percent *increase* based on the President's internally induced spending preference reflected in the presidential budget proposal yielded a 1.176 percent in congressional appropriations, compared with 2.187 percent for internally induced spending requests for a *decrease* in funding.<sup>75</sup> (See Chart 2 in Appendix A.) Though these findings are partially consistent with the bilateral veto bargaining theory that presidential insistence for funding cuts are likely to be more effective than requests for increases, they nonetheless suggest that the President can wield significant influence in either direction.<sup>76</sup>

The presidential veto power and the accompanying power to threaten is likely particularly important in creating the President's power to control the geographic distribution of spending. As discussed above, though the veto power, wielded by a nationally elected figure, has traditionally been viewed as a counterweight to the congressional inclination toward earmark spending, the President likely nonetheless has her own distributional motivations based on presidential electoral concerns.<sup>77</sup> While the presidential veto does serve to limit spending by constraining Congress' power, the electoral college's overweighting of certain states' importance likely means that the veto power also creates a distributional impact on spending, drawing it toward states important to future presidential elections.<sup>78</sup> Consequently, while the veto power may

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<sup>74</sup> Krause and Cook, *supra* note 43 at 261.

<sup>75</sup> *Id.* at 261.

<sup>76</sup> *Id.* at 261.

<sup>77</sup> Nolan M. McCarty, *Presidential Pork: Executive Veto Power and Distributive Politics*, 94 AM. POL. SCI. R. 117–129, 118 (2000).

<sup>78</sup> *Id.* at 118.

generally promote efficiency in federal spending by ensuring its equitable distribution across districts, it likely also creates its own new distributional inefficiencies for political purposes.<sup>79</sup>

*c. Aspects of presidential influence on enacted spending levels*

*i. The whole budget*

Presidential power to influence federal spending levels likely does not extend to power to control, however weakly, every aspect of it. Because of the highly political means through which the President's budget exerts its influence, its impact is thought to be higher on the total of the budget than on its constituent parts, largely because it represents a strong opening bid by the President on the highest level of deficit, or rarely the lowest level of surplus, she will be willing to approve.<sup>80</sup> Allen Schick argues that, though the President's budget includes funding level requests for every program in every department, the proposed budget has the most influence through the major changes it requests.<sup>81</sup> For example, a budget that requests major changes to tax laws and bases its deficit projection on the enactment of those changes, even if their passage is in fact unrealistic, nevertheless draws a line in the sand at that level of deficit, putting political pressure on Congress to constrain the deficit if not to consider the proposed tax changes.<sup>82</sup> Reagan, in particular, used a strategy of proposing budgets with unrealistically low budget deficits to ensure that Congress would constrain spending even if it rejected the specific deep programmatic cuts on which his budget numbers relied, a tactic that George H.W. Bush and Bill Clinton both pursued, the latter with program expansions rather than cuts.<sup>83</sup>

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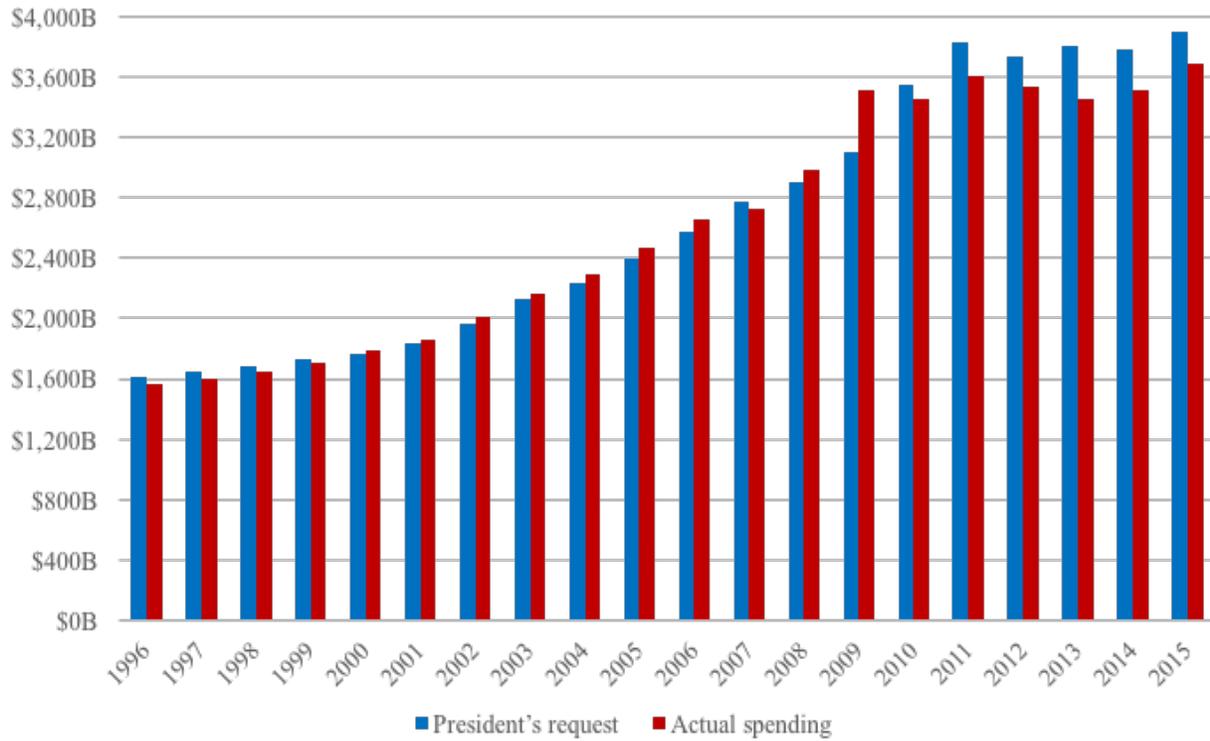
<sup>79</sup> *Id.* at 125.

<sup>80</sup> SCHICK, *supra* note 1 at 110.

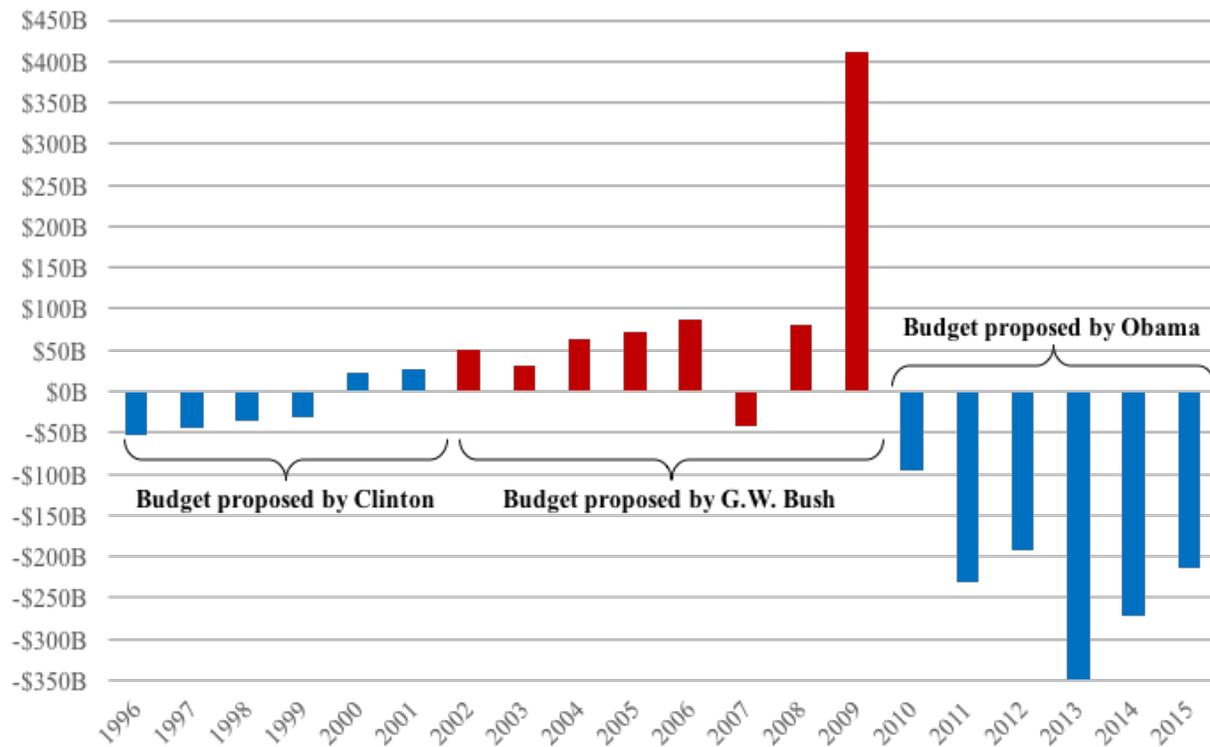
<sup>81</sup> *Id.* at 110.

<sup>82</sup> *Id.* at 110.

<sup>83</sup> *Id.* at 110–12.



**Figure 2: President's budget request and enacted spending levels, FY 1996–2015**



**Figure 3: Change from President's budget request to enacted spending, FY 1996–2015**

Request amounts in both figures from each year's presidential budget request; actual spending levels from 2017 budget historical tables

*ii. Geographic distribution*

After the congressional budgeting process concludes, the President then has a modicum of control over the distribution of spending by executive branch agencies, including influence over the geographic distribution of federal spending. Evidence suggests that the President is able to use this influence to achieve political goals. Though the President, who represents the entire nation, is typically viewed as a counterweight to congressional representatives' desire to bring funding home to their particular districts,<sup>84</sup> she likely nonetheless faces several political incentives, in addition to her policy priorities and judgment about where spending is necessary, to exert such influence. She may wish to improve her or her party's reelection chances by directing federal funds to politically important swing states or previously supportive areas, or she may wish to drum up support for her legislative agenda in districts whose members' votes are likely to be critical.<sup>85</sup> Several studies on the topic have shown that presidents apparently can influence federal spending's geographic distribution, suggesting that the President's lack of direct control over federal spending is less constraining than it appears, and that such control does pay electoral dividends for incumbent presidents who have been able to exercise it.

Larcinese, Rizzo, and Testa found that presidents are able to influence geographic distribution of spending in this way. Their analysis showed that a state's share of votes for the president in the last election is correlated with the state's per-capita federal spending level, though the closeness of that election is not, suggesting that presidents are more effective at channeling federal funds to states loyal to their party than to states with electoral significance.<sup>86</sup>

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<sup>84</sup> McCarty, *supra* note 77 at 118.

<sup>85</sup> Valentino Larcinese, Leonzio Rizzo & Cecilia Testa, *Allocating the U.S. Federal Budget to the States: The Impact of the President*, 68 J. POL. 447–456, 448 (2006).

<sup>86</sup> *Id.* at 451. See Appendix B for a description of their research design.

States whose congressional delegation is from the same party as the president receive yet greater spending.<sup>87</sup> Further, states that elect a governor of the same party as the president also receive more funding on average, even though states whose governor was from the same party of the majority in either house of Congress did not receive additional funding.<sup>88</sup> They argue that these results reflect political theory, since governors' races often depend on voters' approval of the president,<sup>89</sup> and because presidents are likely more willing to reward voter loyalty in states where such prizes also benefit congressional representatives from the President's own party.<sup>90</sup>

Berry, Burden, and Howell similarly found that presidents direct more funding to areas where their party is in power, even though they found little evidence that areas whose congressional representatives were in the majority or had committee influence received more funds, again suggesting that presidential power in geographic dispersion of funding is greater than the president's role in budgeting might suggest.<sup>91</sup> Berry, Burden, and Howell reason that the President both delivers and advocates for her initial budget, thus exerting *ex ante* influence on the distribution of funding, and oversees agencies' often discretionary geographic distribution of funds — for example, through grant-based programs — thus exerting *ex post* influence over their distribution. For example, after Congress has chosen appropriations levels for the National Science Foundation's doctoral dissertation grants, the agency's own bureaucrats are left to decide *where* that money is spent, just as in the National Institute of Health grants, through the Federal Emergency Management Agency disaster relief programs, Small Business

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<sup>87</sup> *Id.* at 453.

<sup>88</sup> *Id.* at 452.

<sup>89</sup> *Id.* at 453.

<sup>90</sup> *Id.* at 454.

<sup>91</sup> Christopher R. Berry, Barry C. Burden & William G. Howell, *The President and the Distribution of Federal Spending*, 104 AM. POL. SCI. R. 783–799 (2010). See Appendix B for a description of their research design.

Administration financial programs, and other agencies' similar grant-based programs.<sup>92</sup> Agencies are also tasked with even larger decisions that have distributional consequences, such as where to locate new agency facilities or where among existing locations to add personnel.<sup>93</sup>

Berry, Burden, and Howell investigated whether presidents use that influence to benefit their own party, either by rewarding congressional allies, help congressmen win election, or enacting programs that would tend to elicit support from certain voters.<sup>94</sup> If presidents are able to direct spending in this manner, they reasoned, more federal spending may be directed toward districts where the President's party is vulnerable or, conversely, when funds must be directed to districts represented by the opposing party, to those where the opposing party has a safe seat, rather than vulnerable districts where the increased spending might help the incumbent.<sup>95</sup>

Observing 24 years of data on federal spending in 435 districts, the researchers found an advantage for congressional representatives in the same party as the President: When a district's representative is from the same party as the president, a district receives 4–5% more non-defense federal spending, or about \$23 million per district, through discretionary programs whose funding levels can vary widely by geography.<sup>96</sup> In districts where the congressional election was close, federal spending was 7–9% higher, regardless of whether the current representative is from the same party as the President, suggesting that it may be either the President or fellow congressmen who help direct funding to these vulnerable districts.<sup>97</sup> But they also found that the size of a district representative's party in Congress is negatively correlated with that district's

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<sup>92</sup> *Id.* at 786.

<sup>93</sup> *Id.* at 786.

<sup>94</sup> *Id.* at 785–87.

<sup>95</sup> *Id.* at 788.

<sup>96</sup> *Id.* at 783.

<sup>97</sup> *Id.* at 792.

spending level, *unless* that party is also the President's party, suggesting that that President does in fact play a pivotal role in the distribution of funds.<sup>98</sup> Because dropping individual presidents sequentially from the analysis did not affect the main findings, the researchers concluded that these characteristics were not idiosyncratic of any one president, reflecting instead presidents' general ability and desire to influence the distribution of spending.<sup>99</sup>

Investigating the specific means of the President's influence on spending distribution, Berry, Burden, and Howell found that presidents likely use both their *ex ante* and *ex post* means of influence. Because budgets are proposed and adopted in the year prior to the funds' disbursement, the party responsible for each form of influence may differ when an election intervenes.<sup>100</sup> Examining years in which the President's party changed, they found that the increase in a district's funding based on its alignment with the President's party is highest when the President was of the same party in both years, but that the spending boost was smaller, but still present, when the President's party matched the district's representative in only one of the two years, suggesting that the alignment boosts spending *both* at the time of the budget's passage and subsequently during the funds' administration.<sup>101</sup>

The most recent study of presidential influence on geographic funding distribution, done in 2015 by Kriner and Reeves, provided further evidence that the President can and does exert particularistic influence in favor of certain politically valuable areas, to woo voters who are strategically important to the next presidential election, reward loyal voters, and ensure leverage

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<sup>98</sup> *Id.* at 792.

<sup>99</sup> *Id.* at 795.

<sup>100</sup> *Id.* at 796.

<sup>101</sup> *Id.* at 797.

over congressmen from their own party.<sup>102</sup> They theorize that the President can achieve such influence by using her powers to appoint personnel to the Office of Management and Budget and other agencies and to set the agenda through her initial budget proposal.<sup>103</sup> Over other spending, such as for natural disasters, the President has near-unilateral control, eliminating the need for indirect control through the President's about 3,000 political appointments, about half of whom require Senate confirmation.<sup>104</sup> Because the Electoral College method used in presidential elections does not give every American's vote equal influence over the outcome, they reason, the President's national constituency does not immunize her against a desire to pursue geographically specific targeting, since spending in electorally important states is likely to be more valuable to her political goals.<sup>105</sup> If presidents do pursue this strategy, spending levels across geographies might vary with the spending's chronological distance from the next election.<sup>106</sup>

Using an analysis similar to Berry, Burden, and Howell's 2010 study, Kriner and Reeves found strong evidence that presidents target both counties within swing states, especially during reelection years, and counties in states that strongly supported the president in recent elections.<sup>107</sup> On a 2008 base of \$428 million in federal grant aid to the average county, a county in an electoral swing state received an average extra \$17 million, while a county in a state core to the president's political support received an average \$28.3 million extra.<sup>108</sup> Swing state counties receive significantly more extra funding during election years: In nonelection years, they receive

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<sup>102</sup> Douglas L. Kriner & Andrew Reeves, *Presidential Particularism and Divide-the-Dollar Politics*, 109 AM. POL. SCI. R. 155–171, 156 (2015). See Appendix B for a description of their research design.

<sup>103</sup> *Id.* at 156–57.

<sup>104</sup> *Id.* at 156.

<sup>105</sup> *Id.* at 158.

<sup>106</sup> *Id.* at 159.

<sup>107</sup> *Id.* at 162.

<sup>108</sup> *Id.* at 164.

an average \$13.5 million extra, while in election years, the bonus swells to \$27.8 million.<sup>109</sup> The extra funding to swing state counties is even greater when the President herself is running for reelection, rather than merely supporting a copartisan successor, rising to \$35.6 million compared to \$21 million on average.<sup>110</sup> These bumps may, however, be overstated since Congress generally enacts higher spending levels in election years.<sup>111</sup> Further suggesting that the difference in swing state counties is indeed electorally motivated, the researchers found no similar difference between years existed for counties in states core to the President's support,<sup>112</sup> perhaps because presidents' interests in supporting their core constituencies is motivated by other reasons; for example, urban education program funding naturally goes disproportionately to Democratic areas.<sup>113</sup>

Kriner and Reeves also find that presidents' ability to particularize funding levels gets them results, particularly in swing states.<sup>114</sup> Even controlling for several other variables that might determine electoral outcomes, they found that voters in states where funding is increased are more likely to reelect an incumbent president.<sup>115</sup> This finding makes it even more likely that the President would take advantage of any avenue to influence the geographic distribution of federal spending for maximum political impact.

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<sup>109</sup> *Id.* at 165.

<sup>110</sup> *Id.* at 166.

<sup>111</sup> D. Roderick Kiewiet & Mathew D. McCubbins, *Congressional Appropriations and the Electoral Connection*, 47 J. POL. 59–82, 79 (1985).

<sup>112</sup> Kriner and Reeves, *supra* note 102 at 165.

<sup>113</sup> *Id.* at 168.

<sup>114</sup> Douglas L. Kriner & Andrew Reeves, *The Influence of Federal Spending on Presidential Elections*, 106 AM. POL. SCI. R. 348–366, 363 (2012).

<sup>115</sup> *Id.* at 354.

### *iii. Programmatic distribution*

In addition to influencing the geographic distribution of funding, the President may also have impact its distribution within programs. Though the president lacks unilateral authority to redistribute funds between programs, her use of “pork”-type spending can nevertheless exert significant influence over the specific use within programs of allocated funds, indirectly affecting legislators’ willingness to appropriate between certain programs.<sup>116</sup> Because Congress has little choice but to create grant programs to allow the necessary programmatic flexibility to achieve policy goals and to take advantage of bureaucratic expertise, the executive branch gains significant *de facto* power and ability to direct federal spending,<sup>117</sup> which it exercises in part through Office of Management and Budget liaisons for each federal department and in part through its appointees through the various agencies.<sup>118</sup> These efforts largely avoid the scrutiny given to congressional earmark spending, since they reflect the ostensibly proper role of the executive branch bureaucracy.<sup>119</sup> Though presidents almost by definition use their influence over grant awards primarily in pursuit of their policy goals, the modern permanent presidential campaign may all but require presidents and their lieutenants to take electoral concerns into account when making these decisions, imbuing these programs with an earmark-like sense of particularism and favor-granting.<sup>120</sup>

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<sup>116</sup> Anthony M. Bertelli & Christian R. Grose, *Secretaries of Pork? A New Theory of Distributive Public Policy*, 71 J. POL. 926 (2009).

<sup>117</sup> JOHN JOSEPH HUDAK, PRESIDENTIAL PORK: WHITE HOUSE INFLUENCE OVER THE DISTRIBUTION OF FEDERAL GRANTS 11 (2014).

<sup>118</sup> *Id.* at 16.

<sup>119</sup> *Id.* at 20.

<sup>120</sup> *Id.* at 28.

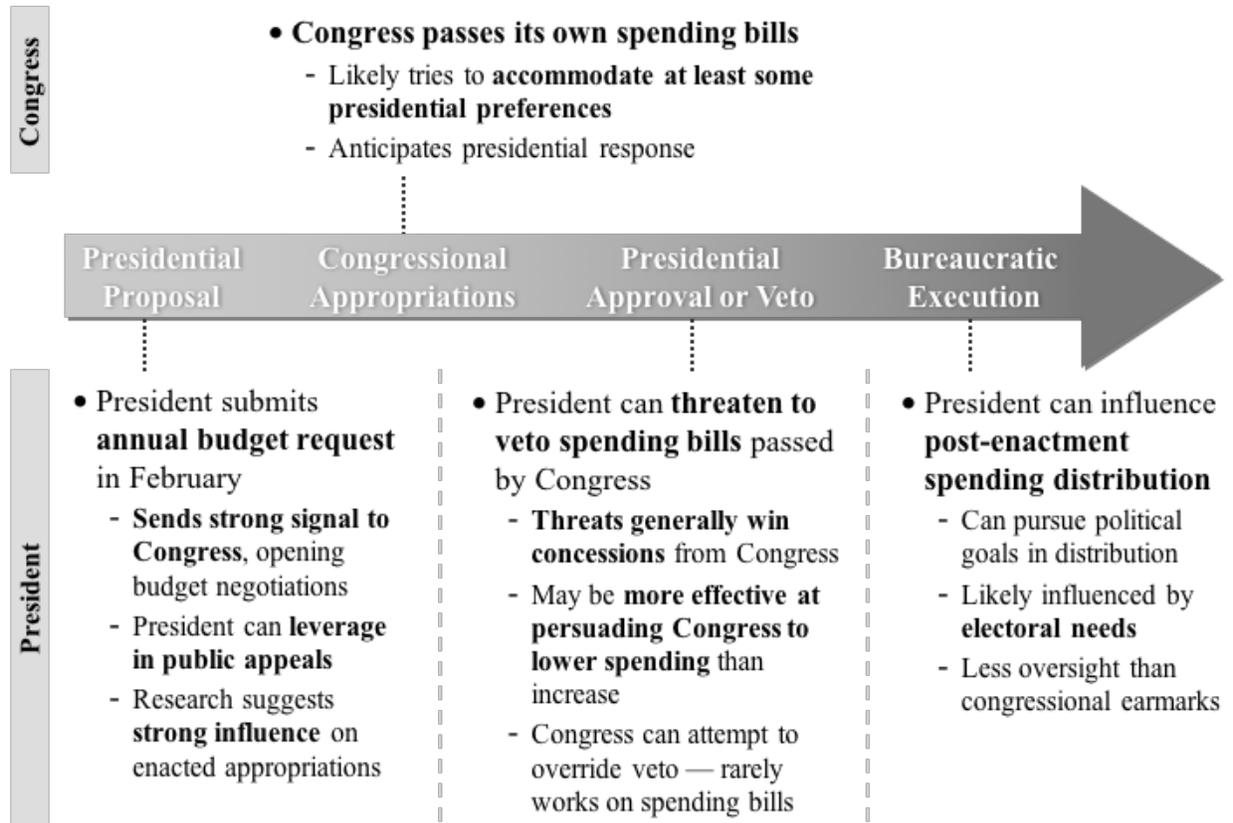


Figure 4: Presidential and congressional means of influence on the federal budgeting process

IV. Conclusion

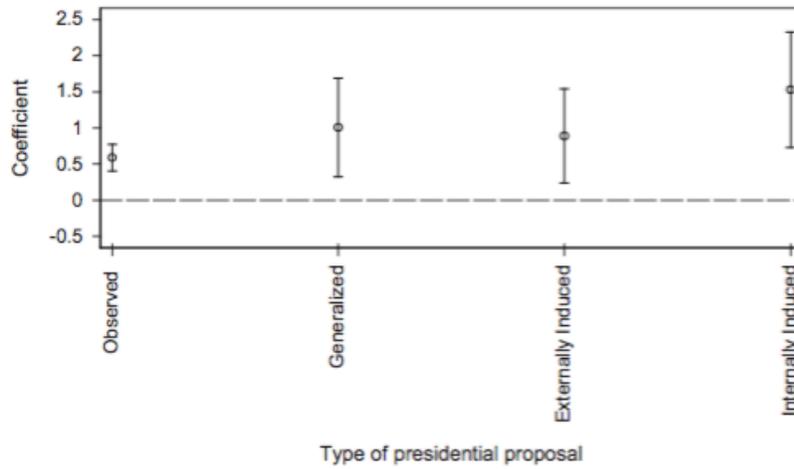
The role of the President’s budget proposal has changed dramatically since the requirement was first introduced in 1921, shifting from a widely recognized statement of the President’s national policy agenda considered seriously by each Congress to simply the first step in the interbranch negotiation over the budget.<sup>121</sup> But in spite of this decline in the importance of the President’s budget proposal and the growing perception that the President’s budget proposal is generally “dead on arrival” in Congress, presidents likely have significant influence over the congressional budgeting process. By using the budget proposal as an effective opening bid in negotiations with Congress, backstopped with the potential for a presidential veto of the

<sup>121</sup> SCHICK, *supra* note 1 at 90–91.

eventually adopted spending bills, presidents can exert significant influence over the federal budget. The weight of the analysis of budget outcomes suggests that Congress frequently acquiesces to presidential budget requests, often shifting spending in the direction requested by the President. Further, within overall spending, the President can also use the budget request and his other tools of political influence to influence both the programmatic and the geographic distribution of funds. Through these means, the President's role in budgeting appears to remain robust even as the budget proposal's importance appears decreasingly credible.

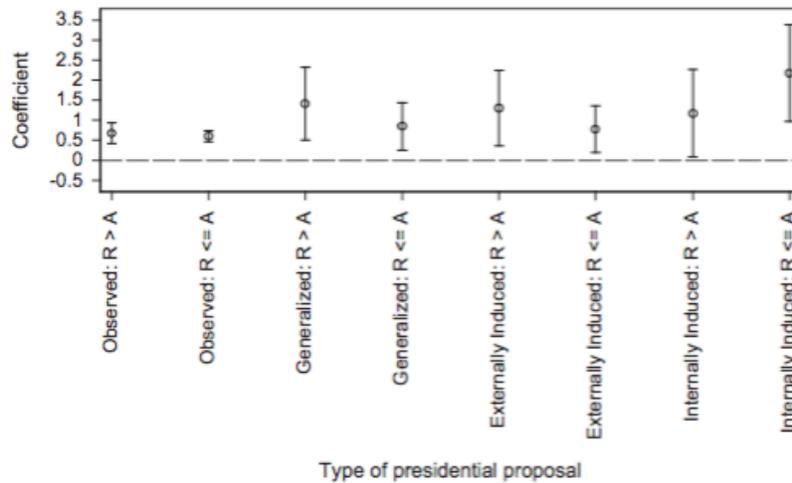
**Appendix A: Charts**

**Chart 1**<sup>122</sup>



*Fig. 1. Proposal impact of symmetric presidential budget proposal influence on congressional appropriations. Note: coefficient estimates and 95 percent confidence intervals.*

**Chart 2**<sup>123</sup>



*Fig. 3. Proposal impact of Asymmetric Presidential Budget Proposal Influence on Congressional Appropriations (BILATERAL VETO BARGAINING) Note: Coefficient estimates and 95 percent confidence intervals.*

<sup>122</sup> Krause and Cook, *supra* note 43 at 259.

<sup>123</sup> *Id.* at 261.

## **Appendix B: Detailed description of analyses in literature**

### **The budget proposal's role in negotiations with Congress**

#### **Kiewiet and McCubbins, 1985**

Kiewiet and McCubbins analyzed the President's funding requests and the final budget appropriations for 37 federal agencies in fiscal years 1948–1979, normalizing all figures into 1972 dollars.<sup>124</sup> They regressed the ratio of those two figures in each agency and year against several political and economic variables — including the unemployment rate, the annualized percentage change in the Consumer Price Index, the President's party, whether the nation was at war, the partisan composition of the House, and whether the budget was proposed in an election year — to assess the independent effect of one on the other.<sup>125</sup> Their analysis showed that congressional budgeting was significantly impacted by the President's proposal and vice versa, apparently confirming mutual accommodation.<sup>126</sup>

#### **Canes-Wrone, 2006**

Canes-Wrone used funding and presidential budget request data for 43 domestic agencies in fiscal years 1958–2001, excluding agencies whose funding was more than 20 percent mandatory spending in any year.<sup>127</sup> She created data on presidents' public addresses in the same years to identify which proposals had been part of a presidential public appeal and used General Social Survey and Roper surveys to create public opinion data on issues and agencies.<sup>128</sup> She then regressed these data with political, economic, and demographic variables to determine the

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<sup>124</sup> Kiewiet and McCubbins, *supra* note 17 at 187–88.

<sup>125</sup> *Id.* at 189–93.

<sup>126</sup> *Id.* at 193.

<sup>127</sup> CANES-WRONE, *supra* note 35 at 60–61.

<sup>128</sup> *Id.* at 62.

impact of the President's budget proposal and of presidential public appeals under various circumstances, each of which showed significant impact on budgetary outcomes.<sup>129</sup>

### **The magnitude of the budget proposal's impact**

#### **Kiewiet and McCubbins, 1988**

Kiewiet and McCubbins' 1988 analysis used the same spending and budget request data that their 1985 study had relied on, regressing those data against various political and economic circumstances in each year — including the partisan composition of the House Appropriations Committee, whether the budget was considered during an election year, the unemployment rate, and the annualized percentage change in the Consumer Price Index — to examine whether the President has more success when she prefers less spending than Congress does.<sup>130</sup> Their analysis demonstrated that the President's budget request had a significantly larger impact on congressional budgeting when the President was in a strategically favorable position.<sup>131</sup>

#### **Krause and Cook, 2015**

Krause and Cook analyzed presidential budget proposals for discretionary funding of 32 federal agencies in fiscal years 1962–2009.<sup>132</sup> They then used a stochastic decomposition method to separate presidents' internally induced budgetary preferences from externally induced ones, which required modeling such external inducement.<sup>133</sup> To do so, they analyzed several political and economic variables for the same years, including congressional control, the federal surplus or deficit, budget caps in place, wars, elections, and demographics of congressional committee members, generating based on those factors a model of each year's external influences on the

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<sup>129</sup> *Id.* at 65–70.

<sup>130</sup> Kiewiet and McCubbins, *supra* note 68 at 725.

<sup>131</sup> *Id.* at 728.

<sup>132</sup> Krause and Cook, *supra* note 43 at 249.

<sup>133</sup> *Id.* at 250.

President's funding request.<sup>134</sup> This analysis revealed that, for example, presidents request more funds during congressional election years, a source of external influence.<sup>135</sup> They were then able to identify the portion of each budget proposal that was not externally induced, according to their model, and regress that against enacted spending levels and other political and economic variables to determine how much success the President has in realizing budget requests.<sup>136</sup> Their analysis demonstrated significant effects of congressional control on presidential influence over the budget and of internal presidential preferences on budget outcomes.<sup>137</sup>

### **Geographic distribution**

#### **Larcinese, Rizzo, and Testa, 2006**

Larcinese, Rizzo, and Testa's study of the President's impact on the federal budget's distribution among the states analyzed data on federal spending in the 48 continental states between 1982 and 2010, normalized into 2000 dollars.<sup>138</sup> Alaska, Hawaii, the District of Columbia, and other outlying areas were excluded to maintain comparability with other research and because those areas have special reasons for their levels of federal funding.<sup>139</sup> These figures were compared with the party of the President, the majority of each house of Congress, the proximity of federal elections, past federal election results, the geographic distribution of key committee seats and other roles, and other and several demographic and other fixed variables to isolate the effects of each political force on federal spending.<sup>140</sup> Their analysis demonstrated significant impact of the President's party, the partisan composition of a state's congressional

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<sup>134</sup> *Id.* at 250–52.

<sup>135</sup> *Id.* at 253.

<sup>136</sup> *Id.* at 254.

<sup>137</sup> *Id.* at 260–61.

<sup>138</sup> Larcinese, Rizzo, and Testa, *supra* note 85 at 450.

<sup>139</sup> *Id.* at 450.

<sup>140</sup> *Id.* at 450.

delegation, and the state's most recent federal election results on the level of federal funding that each state receives.<sup>141</sup>

### **Berry, Burden, and Howell, 2010**

Berry, Burden, and Howell used 1984–2007 data on federal spending from the Federal Assistance Award Data System, a government-wide database of federal spending that records nearly every non-defense transfer from the federal government to another domestic entity by congressional district.<sup>142</sup> They then split the spending data into low-variation programs, such as Social Security, that generally cannot be influenced by policymakers' short-term actions, and high-variation programs.<sup>143</sup> Incorporating district and year fixed effects, they compared each district's federal spending to the party of the district's legislator, the party of the President, electoral timing and results, and various characteristics of the district's legislators.<sup>144</sup> To avoid the limitation that districts only exist for 10 years, they also performed a similar analysis on county-level data on federal spending from the Consolidated Federal Funds Report, which includes defense spending, regressing those data with various county characteristics and political circumstances over time.<sup>145</sup> Their analysis demonstrated with high significance that districts and counties receive more federal funding when their congressional representative belongs to the same party as the President.<sup>146</sup>

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<sup>141</sup> *Id.* at 451–53.

<sup>142</sup> Berry, Burden, and Howell, *supra* note 91 at 788.

<sup>143</sup> *Id.* at 788.

<sup>144</sup> *Id.* at 788–89.

<sup>145</sup> *Id.* at 790.

<sup>146</sup> *Id.* at 791.

**Kriner and Reeves, 2015**

Kriner and Reeves used the same 1984–2008 federal spending data from the Consolidated Federal Funds Report that Berry, Burden, and Howell’s 2010 study did, adding one year, excluding all but grant-based programs, and regressing awarded grant levels against a number of political and demographic circumstances,<sup>147</sup> including whether a state is electorally significant, whether funding occurred during an election year, whether the county’s member of Congress is from the majority party or the President’s party, the county’s population, the county’s poverty rate, and the county’s per capita income.<sup>148</sup> Their analysis demonstrated significant impact of presidential particularism on the level of federal funding each county received.<sup>149</sup>

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<sup>147</sup> Kriner and Reeves, *supra* note 102 at 160–61.

<sup>148</sup> *Id.* at 163.

<sup>149</sup> *Id.* at 162.