Title

Delaying the Buck: Timing and Strategic Advantages in Executive-Legislative Bargaining over Appropriations

Journal

Congress & the Presidency, 41(1)

ISSN

1944-1053

Authors

Anderson, Sarah E
Woon, Jonathan

Publication Date

2014

DOI

10.1080/07343469.2013.852273

Peer reviewed

Delaying the Buck:
Timing and Strategic Advantages in Executive-Legislative Bargaining over Appropriations

Sarah Anderson
Assistant Professor
Bren School of Environmental Science & Management and
Department of Political Science
University of California, Santa Barbara

Jonathan Woon
Associate Professor
Department of Political Science
University of Pittsburgh

Delay is a common feature of appropriations politics. Although members of Congress and the president often decry lengthy delays in the passage of appropriations bills, we investigate whether such delays might confer strategic advantages, and if so, to whom. We draw from bargaining theory to understand how the relationship between the duration of negotiations and outcomes depends on the underlying distribution of bargaining power and the nature of the bargaining process. In our empirical analysis, we find that delay is associated with greater concessions to the president, but not with more extreme outcomes. We also find that the House and Senate concede more to presidents who prefer less spending, while the Senate is more responsive to presidential needs during presidential election years. These results suggest that the president's power comes from the asymmetry of veto and proposal rights, rather than from symmetric bargaining with proposals and counterproposals or a "war of nerves."

A prior version of this paper was presented at the 2009 Annual Meeting of the American Political Science Association, Toronto, Canada.

Year after year, one of the main battlegrounds in the institutional clash between Congress and the president concerns spending and budgetary decisions. Often, the process drags on well beyond the beginning of the fiscal year. When conflict is protracted and the budget is slow to pass, presidents of both partisan stripes decry the delay. At a press conference in his second term, for example, President George W. Bush complained:

> "Today Congress set a record they should not be proud of: October the 26th is the latest date in 20 years that Congress has failed to get a single annual appropriations bill to the president's desk…Congress needs to keep their promise, to stop wasting time, and get essential work done on behalf of the American people." (President George W. Bush, October 2007)

President Barack Obama aired a similar grievance in September 2012 when Congress passed a six-month continuing resolution before heading home to campaign (Obama 2012). While such remarks might simply be characterized as partisan barbs, presidents may be genuinely concerned about the consequences of delay in their role as the head of the bureaucracy (Neustadt 1960) and managers of budgetary planning (Mowery, Kamlet, and Crecine 1980). However, presidents might also use delay as a bargaining tactic even though their public rhetoric tends to cast blame on Congress for dragging its feet. Then again, Congress might itself purposefully draw out the process in the hope that the president will accede to its demands. Who benefits from this delay?

We contribute to the literature on executive-legislative bargaining by investigating the relationship between the duration of the appropriations process and outcomes. Bargaining between Congress and the president is certainly a dynamic process. Sometimes disagreements are resolved quickly. Other times, negotiations develop into lengthy standoffs. While modeling executive-legislative bargaining as a bilateral bargaining game has produced important insights

about relative influence over appropriations and other policy outcomes (e.g., Kiewiet and McCubbins 1985, 1988), focusing solely on preferences and outcomes misses important aspects of the strategic interaction between the branches. We propose that time can be used strategically —as a bargaining tool—and thus investigating the relationship between delay and outcomes enhances our understanding of inter-branch policy-making. Our dynamic perspective supplements the bilateral bargaining framework found in the literature.

Our theoretical framework draws from bargaining theory to derive alternative hypotheses about the relationship between delay and outcomes. Whether delay benefits the president or Congress depends on the distribution of proposal power between them. If Congress holds the balance of proposal power and the president's primary source of influence is the veto, then we argue that delay is a tool wielded by the president to extract concessions from Congress. Alternatively, if bargaining power is more symmetrically distributed, then delay does not necessarily confer any ex ante advantage to either side. Instead, if symmetric bargaining is characterized by the give-and-take of offers and counteroffers, delay should be associated with greater compromise. But if symmetric bargaining resembles a "war of nerves" or "game of chicken"—in which each side does not propose counteroffers but instead attempts to wait for the other to concede—then compromise is less likely as time goes on and a longer bargaining process increases the likelihood of more extreme outcomes. Assessing the relationship between delay and budget outcomes allows us to understand which distribution of bargaining power best characterizes the institutional relationship between Congress and the president in the realm of appropriations politics.

In order to test these hypotheses about the relationship between the duration of bargaining and budgetary outcomes, we use a bill level dataset of presidential requests, congressional

appropriations decisions, and the timing of bill passage for fiscal years 1977 through 2008. We find that delay is indeed advantageous to the president, resulting in more concessions from Congress and that it does not result in more extreme outcomes. These results suggest that although the president has several tools at his disposal with which to influence budgetary outcomes, the president's chief source of influence remains the veto right.

The paper is organized as follows. The first section of the paper draws on the bargaining theory to establish expectations regarding the link between timing and outcomes. The second section describes the data on appropriations outcomes and the timing of passage. The third section presents the analysis. Finally, the conclusion reflects on the insights that studying the timing of passage can provide with respect to policy outcomes and the inherent difficulty of bargaining revealed in the appropriations process.

Bargaining Power and the Timing of Appropriations

Although the annual appropriations process can be quite complicated, requiring the agreement of many institutional players (House and Senate committees, subcommittees, and party leaders) to overcome a variety of procedural hurdles, the focus of this paper is on the institutional rivalry between Congress and the president. Thus, we follow Kiewiet and McCubbins (1985, 1988) in abstracting away from the many details of the appropriations process to focus on models of bilateral bargaining. In our theoretical analysis, we consider three alternate models of bargaining. Each model makes different assumptions about the nature of bargaining and the distribution of proposal power and, as a consequence, implies different testable relationships between bargaining delay and outcomes. In the first model, we consider how delay and outcomes are associated when power is distributed in accordance with a traditional notion of

veto power: Congress has proposal power while the president has blocking power.[1] We then discuss two models of how outcomes might be systematically related to delay if instead proposal power is more symmetric. In our second model, bargaining is conceived as a back-and-forth process of negotiation, while in the third model, bargaining resembles a "game of chicken" or "war of nerves" in which each side waits for the other to concede.

Asymmetric Bargaining Power and Presidential Delay

Models of executive-legislative bargaining (Brady and Volden 2005, Kiewiet and McCubbins 1985, 1988, Krehbiel 1998) are typically silent about the relationship between policy outcomes and bargaining duration, highlighting instead how preferences and institutional structure affect the substance of budget legislation and the nature of agreements. Following the logic of Romer and Rosenthal's (1978) setter model, proposers in these models (typically the congressional median) must accommodate players with blocking rights (the president or supermajority pivots). They do so because complete information—that is, certainty—about the veto players' preferences allows them to rationally anticipate which legislative proposals will be accepted, thereby avoiding costly delays. Indeed, complete information spatial bargaining models almost always predict that agreements will be reached immediately so that there will be no delay at all. Generating predictions about delay therefore requires that models of bargaining involve some form of uncertainty.

1 Of course, when we use the terms "proposal power" and "veto power," we use the term "power" synonymously with "right" or "ability." We do not necessarily mean that possessing such powers implies success, as the goal of the analysis is to assess the extent to which the distribution of such "structural power" (the degree of proposal and veto rights) affects each institution's influence over outcomes.

To illustrate how uncertainty can cause delay to occur, consider a simple, generic model of bilateral bargaining in which player A has monopoly proposal power but is uncertain about the preferences of player B. To fix ideas, suppose that the players must agree on how to divide a dollar and that, for the sake of argument, the only possible divisions are an equal split, x = ($0.50, $0.50), and an unequal split in which A receives a much larger share, y = ($0.90, $0.10). Although A is uncertain about B's exact preference, A has some beliefs and can estimate the probability that any given proposal would be accepted. Suppose that B is equally likely to be a "tough" type (who will only accept the 50-50 split) or a "weak" type (who will accept the 90-10 split). Assume that Player A can also make any number of proposals, but the consideration of each proposal takes time, and wasting time (i.e., having an offer rejected) costs an amount c. Finally, assume that Player A maximizes expected net benefits.

Delay occurs with positive probability when player A first proposes the unequal split y (provided that c is small enough that doing so is preferable to guaranteeing the equal split x will be accepted immediately). Since there is a 50% chance that Player B is "weak" and a 50% chance that Player B is "tough," Player A therefore faces an equal probability that Player B accepts the unequal offer or rejects it. If the offer is rejected, then Player A incurs the cost c, but then also infers that Player B must be the "tough" type and proposes the equal split as the second offer, which would be accepted. This simple example generates the familiar "haggling" dynamic known to bargainers across the world. Consequently, there is a clear relationship between the duration of bargaining and the favorability of outcomes to each bargainer. Agreements that are reached quickly are more favorable for the proposer while agreements that are reached later are more favorable for the responder. Thus, the more drawn out the bargaining process is, the worse off the proposer will be.

The logic of this simple example easily generalizes, and the haggling dynamic that arises is precisely what occurs in models of veto bargaining with incomplete information (Cameron and McCarty 2004), albeit with more explicit assumptions about the structure of political preferences. In Cameron's (2000) spatial veto bargaining models, Congress faces uncertainty about the extremity of the president on each issue that they deal with. In the first round of bargaining along the subgame perfect equilibrium path of play, Congress sends a bill to the president that is as close to its own ideal point as possible but that also risks the possibility of a veto. The rationale follows the same basic logic described above: Congress is willing to bet that the president is sufficiently likely to be moderate that it can obtain an outcome closer to its own ideal point while risking some chance of a veto by more extreme presidents. If the president turns out to be more extreme than Congress expected, a veto occurs and Congress makes concessions to the president in subsequent bills it presents to him. In other words, veto bargaining with incomplete information involves a "screening" dynamic in which Congress can use "tough" initial proposals to weed out the more moderate types of president. This dynamic implies that longer durations of bargaining are associated with greater concessions to the president.

The key assumptions are uncertainty about the president's response and that Congress wields monopoly proposal power, and we now discuss the extent to which these characterizations might apply to bargaining over appropriations. The uncertainty Congresses faces need not be about the president's ideological preferences or issue-specific policy positions. Uncertainty about other aspects of the president's decision calculus will produce the same relationship between delay and outcomes. In particular, even if Congress is certain about the ideological position of the president, it may nevertheless still be uncertain about the costs he incurs from delay. For

example, there may be uncertainty about how the public will react to a veto and thus the extent to which he will be punished by the loss of public approval. Congress might also face uncertainty about the intensity of his policy preferences, his level of patience, or his level of bargaining "resolve." When uncertainty is about cost, "tough" types are those who face lower costs of delay and are therefore more willing to hold out until Congress makes greater concessions.

In the context of veto bargaining, when Congress must formally present a bill to the president, the assumption that Congress wields monopoly proposal power is obviously fitting. But in the context of appropriations politics, its appropriateness is open to debate. The president has a number of tools at his disposal that suggest he possesses at least some degree of proposal power, notably the detailed budget he presents to Congress as the opening bid in the appropriations process. The influence of his proposal is strengthened by the fact that it is formulated with the expertise of the Office of Management and Budget. Moreover, budget politics involves informal negotiations between congressional leaders and the president with both public position-taking and privately communicated offers. Nevertheless, despite the president's budget proposal and public rhetoric, he cannot make a take-it-or-leave-it offer to Congress. Instead, once Congress presents an appropriations bill to the president, he cannot modify it—his only recourse is to sign it or issue a veto. Thus, there is an asymmetry in proposal power embedded in the Constitution.

Ultimately, what matters is not whether the sequential veto model is a literal description of bargaining over appropriations but whether the distribution of proposal power is sufficiently unequal that the model captures the *essence* of the strategic interaction between Congress and the president. We also note that the observance of formal vetoes or other public rejections of congressional proposals is not a necessary implication of our argument. If proposal power is

asymmetric and the president's power stems primarily from the blocking power embodied in the veto (whether he issues one or not), then presidents can gain strategic benefits from delaying the bargaining process. By holding out, the president demonstrates to Congress that he is "tough" and ought to be accommodated. To the extent that our argument captures an important feature of bilateral bargaining between Congress and the president, we expect to find support for our first hypothesis.

> ***Presidential Delay Hypothesis:*** *If proposal power is asymmetric and the president's bargaining power stems primarily from the veto, then as the length of the delay in passage of appropriations bills increases, Congress will concede more to the president.*

Symmetric Bargaining

What if the president's tools—the budget, the OMB, and going public—turn out to amount to a substantial degree of proposal power (Berry, Burden, Howell 2010)? What does greater symmetry in bargaining strength imply for the use of time as a strategic tool? We discuss two different ways of conceptualizing symmetric bargaining. One possibility is to extend the sequential bargaining framework. The other is to view delay as resulting from a "game of chicken."

We can extend the sequential bargaining framework in the following way. Suppose that at any given time, either side is randomly recognized to be the proposer and that there are now three possible divisions of the dollar: x = (\$0.50, \$0.50), y = (\$0.90, \$0.10), and z = (\$0.10, \$0.90). Whenever player A is the proposer, the haggling dynamic entails first proposing y, then x in the case that the first proposal is rejected and A is recognized again. Whenever she is

recognized as the proposer, player B will engage in similar behavior: start by proposing the most favorable outcome for herself, *z*, then propose *y* the next time she is recognized if *z* initially fails. In this simple model, the delaying tactic benefits the responder in two ways. First, per the original haggling dynamic, it forces the other player to make concessions in the future. Second, it also provides the responder with the opportunity to be the proposer in the future. This version of a symmetric bargaining model predicts that agreements reached early on will favor one of the two sides, either Congress or the president, but that we cannot predict which side will benefit ex ante. However, over time, as each side delays and forces concessions from the other side, outcomes should converge toward an equal division (i.e., splitting the difference).

> ***Symmetric Compromise Hypothesis:*** *If proposal power is symmetric and bargaining is characterized by a sequence of offers and counteroffers, then as the length of delay in the passage of appropriations bills increases, outcomes will converge towards a compromise of splitting the difference.*

An entirely different dynamic arises if we consider a different class of bargaining models. Rather than thinking of bargaining as a sequence of proposals and counterproposals where proposal power is the key factor, another way in which bargaining can be modeled is in terms of a "war of nerves" or "game of chicken" (Rapaport and Chammah 1966). The basic idea is that each side stakes out a bargaining position and waits for the other side to back down. In complete information versions of the game, there are multiple equilibria with no delay if each player

correctly anticipates whether the other player will back down. With incomplete information, as before, players are never quite certain about what the other player will do.[2]

Suppose that there are three possible outcomes: the president's budget, Congress's budget, or a compromise. As before, each player might be "tough" or "weak." "Weak" types are more likely to compromise or concede early while "tough" types are more likely to hold out until their desired budget is obtained. Delay results when neither type will accept a compromise—the bargaining game turns into a "war of nerves"—and eventually the game ends when one side "blinks." As with the sequential bargaining model, waiting is beneficial because it can be used strategically to obtain better bargaining outcomes. However, because proposal power is curtailed in the "war of nerves," the relationship between delay and the outcomes it produces is the opposite of the symmetric compromise model. Short durations will be associated with compromise outcomes while long durations will be associated with extreme outcomes. Such volatile outcomes would pose a management problem for the president as leader of the bureaucracy and might very well lead him to decry delay. This leads to an alternative hypothesis about symmetric bargaining.

> ***Symmetric War of Nerves Hypothesis:*** *If proposal power is symmetric and bargaining is characterized by a war of nerves, then as the length of delay in the passage of appropriations bills increases, outcomes will become more unequal; on average, however, neither Congress nor the president will tend to have an advantage.*

---

2 An example of a model of a "war of nerves" with incomplete information is Fearon's (1994) "audience cost" model, which predicts bargaining delay with positive probability.

To recapitulate, our analysis has generated three competing predictions about the relationship between the timing of appropriations and the relative success of Congress vis-a-vis the president. If Congress monopolizes proposal power but is uncertain about the president's preferences, the Presidential Delay Hypothesis predicts that longer delays will lead to outcomes that favor the president. Alternatively, if bargaining is characterized by back-and-forth proposals and counterproposals but proposal power is more symmetrically distributed, the Symmetric Compromise Hypothesis predicts that longer delays will be associated with more moderate outcomes and that on average neither Congress nor the president benefits more from delay than the other. Finally, if bargaining is primarily a process in which each side attempts to hold out until the other concedes, the Symmetric War of Nerves Hypothesis predicts that longer delays are associated with more extreme outcomes but do not, on average, advantage one institution over the other. Because each hypothesis is predicated on a different view of the institutional distribution of power and the nature of bargaining, an empirical analysis of the relationship between outcomes and delay informs our understanding of how best to characterize congressional-presidential bargaining in the budgetary process.

Data and Variables

We test the hypotheses presented above using a dataset that includes the timing and outcomes of appropriations bills for fiscal years 1977 to 2008. The *CQ Almanac* provides the president's proposed amount of appropriations, the House-passed amount, the Senate-passed

amount, and the final amount for each of the eleven to thirteen appropriations bills each year.[3] Additionally, the dataset includes the date on which the bill was enacted into law.[4]

Delay

These data are used to calculate delay, which is considered to be the number of days between the president's proposal of a budget and the final passage of a bill. While the deadline for passage of bills is nominally the beginning of the fiscal year (currently October 1), the release of the president's proposal (usually in February) is considered the start date, since it is the time at which Congress can begin work on the proposals. Delay ranges from 125 days to 504 days, with a mean of 271 days and a standard deviation of 58 days. The distribution is shown in Figure 1. There is a spike near the end of the fiscal year and an additional spike in the number of bills that pass around 320 days after the president's budget arrives. This coincides with the end of the calendar year, when Congress may hurry to complete bills before the holiday recess.

[Figure 1 about here]

3 For fiscal years 1977 to 2003, the same thirteen bills were considered each year. For fiscal year 2004, however, some were consolidated and the Homeland Security bill was added, resulting in eleven bills. In subsequent years, bills were added, returning the number to thirteen bills. Even when there are omnibus or consolidated appropriations bills, *CQ Almanac* provides final amounts broken down by categories that match the original bills. We refer to them here as bills instead spending categories, which is more technically correct but clunky.

4 There are a few cases where the bills were passed by a later Congress. Some FY2003 bills were passed in 2003 (instead of during 2002 and therefore by a newly elected Congress) and some FY2007 bills were passed by the 110th Congress in 2007 instead of the 109th Congress. Here we continue to use data from the Congress that first considered the bills.

Concessions

Budgetary outcomes are measured by calculating concessions by Congress to the president. While the Presidential Delay Hypothesis predicts a positive relationship between delay and concessions to the president, the Symmetric Compromise Hypothesis and the Symmetric War of Nerves Hypothesis predict a null relationship. We consider three different measures of the degree of concessions to the president. Let C_{it} be Congress's preferred amount, P_{it} be the president's preferred amount, and F_{it} be the final passage amount for bill i and fiscal year t. Concession Measure 1 is defined by the formula

$$\frac{|C_{it} - F_{it}| - |P_{it} - F_{it}|}{|C_{it} - P_{it}|} * 100 \quad . \qquad (1)$$

This measure is 100 when the final amount is equal to the president's proposal or is closer to P_{it} but outside the interval defined by P_{it} and C_{it}. It is -100 when it is equal to C_{it} or is closer to C_{it} and outside the interval defined by P_{it} and C_{it}. A value of 0 indicates a complete compromise, when F_{it} is exactly the midpoint between P_{it} and C_{it}. Negative values between -100 and 0 indicate a final amount between the president's and Congress' positions but closer to Congress, while positive values between 0 and 100 indicate intermediate outcomes that are closer to the president.[5] To operationalize P_{it}, we use the president's requested amount. For C_{it}, we use the midpoint between amounts that are initially passed by each chamber.[6] Concession Measure 1 has

5 Note that it does not matter whether we compute our measure using the actual dollar figures or whether we use amounts expressed as percentage changes from the previous year's appropriation, because the measure will end up being the same.

6 This is a common, albeit imperfect, way of dealing with bicameralism, but we treat each chamber separately in other specifications. In alternative specifications reported in the Appendix,

a bimodal distribution with many observations at the extremes (-100 and 100).[7] These observations correspond to cases where the final passage amount is either less than or more than both the president's proposal and what Congress passes.[8]

The second measure is simpler, capturing how far away the final budgeted amount is from the congressional proposal as a proportion of the initial proposals by the president and Congress. Concession Measure 2 is

---

we also use the larger of the distances between the president and each chamber and the results are substantially the same.

7 The overwhelming majority of these cases occurred when spending was greater than the President's request and greater than what the House and Senate passed. As a first step toward understanding why there are so many values at the extremes, we looked at *CQ Almanac* for Fiscal Years 2001 to 2008. During the George W. Bush years, one explanation consistently given for amounts above the requests and passed versions was that the House and Senate each added spending for particular projects or programs (but different ones) to the president's request and then kept both House and Senate additions, resulting in more spending than the prior versions. This was noted especially with respect to Energy, Interior, Military Construction and sometimes Agriculture bills. The other explanation often noted was the addition of "emergency funding" for things such as firefighting, hurricane relief, flu spending, and farm aid. Exceptions to amounts greater than both the president and Congress's proposals included FY2007, when all of the bills with outcomes outside the bargaining space were funded in the Continuing Resolution, which flat-funded government with only a few increases. As a result, these were all below the requested and passed amounts.

8 In some cases, the extreme values come from operationalizing C as the midpoint between H and S. That is, the final amount is outside the range defined by P and C but still within the range

$$\frac{F_{it} - C_{it}}{P_{it} - C_{it}} * 100 \quad , \qquad (2)$$

which is very similar to Concession Measure 1. In fact, they are linearly related when F_{it} falls between C_{it} and P_{it}. They differ in how they treat extreme values. Whereas Concession Measure 1 collapses values to the range -100 to 100, Concession Measure 2 avoids the censoring at -100 and 100, allowing values beyond those. When Congress obtains the budget it initially proposes, Measure 2 is 0, and when the president obtains his requested appropriation, Concession Measure 2 equals 100.

The third measure is akin to one used in Canes-Wrone (2005) to measure "presidential success," the difference between the president's request and the final passage amount. Concession Measure 3 is

$$-|\Delta P_{it} - \Delta F_{it}| \qquad (3)$$

where Δ is the percentage change from the previous year's final appropriation. This measure does not take into account the spending preferences of Congress. In that sense, it is more a measure of success of a president's proposal than of concessions by Congress to the president.

Extremity

To test the extremity and moderation components of the competing symmetric hypotheses, we measure the extremity of bargaining outcomes by modifying Concession Measure 1 and Concession Measure 2. For Concession Measure 1, a value of 0 is the midpoint between Congress and the president and represents the two institutions splitting the difference. Thus, Extremity Measure 1 is simply the absolute value of Concession Measure 1. For defined by the chamber-specific amounts. Mathematically, this is where $min(H,S,P) < F < max(H,S,P)$, where H is the House amount and S is the Senate amount. We consider whether these cases are problematic in more detail later.

Concession Measure 2, the midpoint between desired congressional outcomes and presidential outcomes takes the value of 50. Extremity Measure 2 is therefore |Concession Measure 2 – 50|.

Control Variables

In our theoretical analysis, we abstracted away from many relevant features of congressional-presidential bargaining, showing that our key predictions depend only on the distribution of power and the nature of the bargaining process. Of course, the theoretical analysis left out several factors that contribute to outcomes and delay that must be included in the empirical analysis if we are to properly assess the relationship between concessions and delay.

First, our model omits ideological preference divergemce, but veto models suggest that greater ideological polarization leads to a greater propensity to employ haggling tactics (Cameron 2000). When polarization is higher, we should expect Congress to make more extreme proposals and for those proposals to be more likely to be rejected (and for there to be longer delays). To properly assess the relationship between delay and outcomes, we must therefore be careful to separate the effect of polarization from the effect of delay itself, so it is necessary to control for the ideological distance between Congress and the president in our regression analysis. We do so by calculating the distance between Congress and the president using Common Space DW-NOMINATE scores (Carroll et al. 2009), where Congress is operationalized as the midpoint between the House and the Senate.

Budgetary politics also clearly depend on intra-congressional bargaining (e.g., between the chambers and between party leaders and committees), and the difficulty of bargaining within Congress will affect the amount it concedes to the president as well as the overall time it takes to pass appropriations (Woon and Anderson 2012). Thus, in addition to ideological distance

between Congress and the president, we also control for congressional polarization. This is measured as the distance between the Common Space DW-Nominate scores of chamber medians.

Our theoretical analysis omits not only ideology, but also partisanship. To the extent that party and ideology are correlated, our ideological distance measures will control for some effects of partisanship on budgetary outcomes and delay. But parties are more than a collection of individuals with shared ideological interests (Aldrich and Rohde 2000). Scholars also see congressional parties as organizations that work to promote a collective brand name (Cox and McCubbins 2005). Since the president plays a key role as the leader of his party, we expect that a president bargaining with congressional leaders from his own party is more likely to obtain concessions, and we expect those concessions to be greater the greater the size of his majority in each chamber. One reason that congressional co-partisans are more likely to concede to the president is that they will work to avoid the appearance of being a divided party, thereby avoiding harm to the party's reputation. Another is that co-partisans face less uncertainty about the president's preferences, given greater communication and their shared policy values, implying a weaker haggling dynamic in which a protracted budget process is much less likely. To control for these possible effects of partisanship in our regression analysis, we include variables for whether each chamber's majority is of the same party as the president and we include the number of the president's co-partisans in each chamber.

We include a final set of controls for electoral considerations since electoral incentives have been shown to affect budgetary outcomes (Kamlet and Mowery 1987). In particular, we expect that Congress will be less "patient" in electoral years because its members face greater pressure to finish their legislative work and hit the campaign trail. During election years, we

therefore might expect Congress to concede more to the president than in non-election years, but to a lesser extent in midterm elections than in presidential election years. We therefore include dummies for midterm election years and presidential election years in our regression models, which yields three categories: presidential election years, off-presidential election years, and non-election years (the omitted category). As a further control for the effects of public opinion on budgetary negotiations, we include presidential approval from Gallup polls to control for the popularity of the president, which we expect increases his bargaining leverage.

Strategic Proposals

If presidential budgetary requests are "strategic" in the sense that the budget the president submits does not represent his "true" preferences, there may be concern that analyses using measures constructed from presidential requests will not properly reflect the relationship between delay and outcomes. There are several reasons why we do not believe that this is a major impediment to our empirical analysis. First, what matters for our analysis is how success varies with delay, not the absolute amount; thus, any measure that varies (e.g., linearly) with the president's true budgetary preferences will do. Second, if Congress anticipates that the president exaggerates in this way, it will (as in any equilibrium of a cheap-talk game) either ignore his request in forming beliefs about the president's preferences or correctly adjust its expectations downward. Third, budgetary negotiations are highly salient, public processes. Scholars of executive-legislative bargaining at both the federal (Kiewiet and McCubbins 1988) and state (Kousser and Phillips 2009, 2012) levels agree that strategic misrepresentation has such severe electoral and reputational costs that it is appropriate to treat executive requests as sincere.

Nevertheless, we take several steps to mitigate the possibility that strategic misrepresentation of requests may influence our results. One way we deal with this possibility is to collapse Concession Measure 1 into three ordinal categories. Values of Concession Measure 1 between -100 and -33 correspond to outcomes closer to Congress (coded -1 for the new variable), values of measure 1 between -33 and 33 correspond to compromise (coded as 0), and values of measure 1 between 33 and 100 correspond to outcomes closer to the president (and are coded as 1). By collapsing Concession Measure 1 into a trichotomous variable, we reduce (although cannot entirely eliminate) the influence of strategic behavior on the original measure of concessions, which are cardinal values. This specification should thus be less prone to the bias of strategic behavior. Of course, it also comes at a cost: we lose quite a bit of information by treating our data as ordinal. But to the extent that presidential requests are strategic, we believe that our approach mostly eliminates the strategic components while retaining the ordinal properties necessary to test our hypotheses.

A second way of dealing with strategic requests is to ignore the president's request and simply measure congressional success akin to Concession Measure 3, where congressional success $-|\square C_{it} - \square F_{it}|$. This avoids the possibility of strategic presidential requests and should be negatively associated with delay (as it measures congressional success, rather than presidential success).

The third way we address strategic presidential requests is to generate a "sincere" measure of presidential preferences. To do this, we regress the president's requests on the president's ideal point and use the predicted request as the sincere preference in calculating Concession Measure 1. In a sense, this measure of concessions is purged of any year-to-year strategic considerations.

Findings

Concessions to the President

Table 1 shows the tests of the Presidential Delay Hypothesis, that increased delay leads to more concessions to the president, using ordinary least squares regression with fixed effects by bill. Each column shows the results using one of the measures of the dependent variable. Model 1 uses Concession Measure 1. Model 2 uses the simpler second measure of concessions, Concession Measure 2. Model 3 uses the presidential success measure, Concession Measure 3. Model 1 shows a significant relationship between delay and concessions to the president, whereas there is no relationship between the other measures of concession and delay.[9,10] That delay is significantly related to Concession Measure 1 but not Concession Measure 2 suggests that delay predicts whether there are concessions to the president but does not predict the degree to which bargaining outcomes will fall outside the bargaining space (the space between the proposals of the president and Congress).

---

9 The coefficient on delay is very similar on the subset of regular bills (excluding omnibus bill or full-year continuing resolution). When delay is interacted with the dummy for omnibus bills and continuing resolutions, the interaction term does not reach conventional levels of significance (results in Appendix). It seems that these dynamics are the same on regular bills and on larger packages.

10 Over this time period, there has been increasing polarization and concern that compromise is a thing of the past. We might, thus, be concerned that delay no longer has the same effect on concessions as it did in the pre-1995 period. Results including an interaction between delay and pre-1995 show that the coefficient on delay is not significantly different in the two periods.

In Model 1, an increase of one standard deviation in the number of days to passage (58 days) is associated with an almost 4% increase in concessions to the president. The 58 days is roughly the difference between passing the bill at the beginning of the fiscal year and passing it just before going into recess at the end of the calendar year. Concessions to the president also increase by 16% in presidential election years (over off-presidential years), but off-presidential election years are not significantly different from years where there is no election. As the distance between the president and Congress increases by one standard deviation, concessions to the president decrease by 11%.[11] Presidential approval is positively related to success of the president's proposal only in Model 3.

Oddly, when the president's party has a majority in the House, Congress concedes less to him. This may be a sign of the strategic behavior discussed above and evaluated later in Table 5 (Dearden and Husted 1990). More members of the president's party in the Senate is associate with more concessions to the president. None of the other control variables is significantly related to concessions to the president.[12] The relationship between delay and concessions

11 Results are substantially similar to Table 1 when we instead use the distance between the president and the most distant chamber.

12 Fixed effects for DC, Defense, Housing and Urban Development, Military Constructions, and Treasury bills all have signs that are negative and significant (reported in the Appendix). This implies that these bills have significantly lower concessions to the President than the base case, Agriculture. The significant coefficient on Defense is perhaps not surprising, given the vast differences in voting behavior on defense than other areas (Crespin and Rohde 2010). The fixed effect for Financial Services is positive and significant. There is no other apparent pattern to the variation in concessions.

suggests that models of appropriations bargaining that characterize the proposal power as asymmetric offer observable implications that fit the data.

[Table 1 about here]

If bargaining is instead symmetric, the Symmetric Compromise hypothesis predicts that delay will be associated with compromise outcomes rather than concessions. Using two different measures of extremity derived from Concessions Measures 1 and 2, Models 4 and 5 in Table 2 show that delay is not associated with compromise, nor is it associated with the more extreme outcomes that the Symmetric War of Nerves hypothesis predicts. Across both measures of Extremity, election years are associated with more extreme outcomes, while presidential election years are associated with compromise. Together Tables 1 and 2 suggest that bargaining on the budget is characterized by asymmetric proposal power from Congress, highlighting the role of the presidential veto rather than any role for presidential proposals in symmetric bargaining or a "war of nerves."

[Table 2 about here]

Table 3 shows several alternative specifications. Given the specification of Concession Measure 1, which uses the midpoint between the House and Senate proposals as the congressional proposal, cases where the president's position lies between the chambers could be problematic. In these cases, it is difficult to make a statement about whether "Congress" is conceding to the president, since his proposal lies between the proposals of the two chambers. Thus, Model 6 uses only the subset of data where this condition does not hold. The results are substantively the same, providing reassurance that the results in Model 1 are not driven by these cases. Model 6 does have a higher R-squared, suggesting that this feature of the bicameral measure (Concession Measure 1) introduces some noise.

Table 3 also shows results for each chamber separately. Models 7 and 8 assess whether the relationship in Model 1 is being driven more by the House or the Senate. In Model 7, there is no relationship between delay and House concessions to the president, but there is a positive relationship between delay and Senate concessions to the president in Model 8. Concessions thus appear to be driven more by the Senate than the House. One reason for this might be that the House generally considers the legislation first. Once the Senate has had a chance to observe the reaction to the House proposal, the Senate, acting later, may be able to distinguish between an extremist president and a more moderate one. Thus, the Senate may concede more to the president when it believes it faces an extremist. Or it may be that the House, acting as the traditional "guardian of the Treasury" that Fenno (1966) describes, is generally less willing to concede to the president.

Another interesting dynamic that emerges from assessing House and Senate concessions separately is that the Senate concedes more to the president during presidential election years, while the House shows no difference between presidential election years and other years. Of course, during a presidential election year, the entire House is also up for reelection but only one-third of the Senate is. Thus the Senate (or at least two-thirds of it) can more easily afford to concede to the president during presidential election years.

[Table 3 about here]

Splitting the sample as to whether Congress prefers more or less spending than the president provides some indication that the House may, in fact, be acting in its guardian capacity. Models 9 and 10 in Table 4 show that the relationship between delay and House concessions to the president is stronger when the president prefers less spending than the House. As Kiewiet and McCubbins (1988) show, the President's veto right can only restrain congressional spending, not

force Congress to increase spending. Even in the face of uncertainty, the House may be unwilling to concede to a president who requests more funding than the House. But the "guardian" House responds to uncertainty by conceding when the president requests less spending. The Senate similarly concedes more only when the president requests less spending (Models 11 and 12). In results not reported here, the effect of delay is also greater when the president prefers less spending than Congress, using the bicameral measure of concessions.

[Table 4 about here]

Strategic Behavior

Table 5 shows the models that use several alternative measures of concessions to mitigate the problem of strategic behavior. The trichotomous variable requires estimation of an ordered probit model, which is presented in Table 5, Model 13. Consistent with our previous results, we find that delay is significantly related to concessions to the president and concessions are greater in presidential election years. Models 14 and 15 show results using the simple concessions measure for the House and Senate respectively. Here the coefficient on delay is negative in the Senate model, but fails to reach conventional levels of significance in the House model. The negative sign indicates that the Senate gets fewer concessions as the delay drags on, consistent with the results from Model 1. In Model 16 using the purged measure of "sincere" presidential requests, the results are substantially the same as in Model 1. Taken together, these models suggest that the results are not driven by strategic behavior.

[Table 5 about here]

Conclusion

This analysis looks through the window into the bargaining process provided by the regular occurrence of the appropriations process and observes that the relationship between delay

in the appropriations process and appropriations outcomes is a function of the distribution of power between of the president and Congress. In this paper, we show that this delay is associated with greater concessions to the president. Delay is not, however, associated with more compromise or more extreme outcomes. These results, when taken together, show that bargaining on the budget is asymmetric and thus shaped by the unequal roles of Congress and the president. Our study therefore reinforces the importance of the veto in providing the president with leverage over the appropriations process (Kiewiet and McCubbins 1991).

In addition to showing that the veto is key, this investigation into the timing of appropriations reveals that timing can be informative about budget outcomes. Delays imply that Congress will concede more to the president. Consistent with what Fenno (1966) observed when the House acted as guardians of the Treasury, the House and Senate offer greater concessions when the president requests less funding than the House proposal. The take-it-or-leave-it proposal power of Congress means that the President is only able to influence spending when he prefers less spending that Congress. Only the Senate, where reelection is staggered across three election cycles, is responsive to the electoral needs of the president, offering more concessions during presidential election years. We ought, then, to interpret presidential criticism of budgetary delay as political posturing, rather than real concern over the policy or the impact of delay since he stands to gain concessions as delay drags on.

These findings have implications for the strategies that presidents ought to adopt. A president has every incentive to cultivate uncertainty as to his position regarding the budget, because such uncertainty makes his veto powerful and, ultimately, results in concessions. This coincides nicely with the classic findings of Davis, Dempster, and Wildavsky (1966) that an agency's request is a fixed mean percentage of the request in the prior year. Such a strategy, or

any strategy with the simple decision rules cited in the incrementalism literature (e.g., Kamlet and Mowery 1983; Cowart, Hansen, and Brofoss 1975), is a way of concealing information about the president's position. Instead, he can allow that position to be revealed in the bargaining process, hoping to receive concessions**.** A president need not speed the bargaining process along since he receives more concessions the longer it lasts. Moreover, the delays are not associated with extreme outcomes that might undermine governance. Because it is good politics, presidents may take every opportunity to criticize a Congress that delays the passage of the budget, but this empirical analysis shows that the president actually stands to benefit from the delay.

References

Aldrich, John H, and David W Rohde. 2000. "The Republican Revolution and the House Appropriations Committee." Journal of Politics 62(1): 1–33.

Bozeman, Barry, and Jeffrey D. Straussman. 1982. "Shrinking Budgets and the Shrinkage of Budget Theory." *Public Administration Review* 42(6): 509–515.

Brady, David W., and Craig Volden. 2005. *Revolving Gridlock: Politics and Policy from Jimmy Carter to George W. Bush*. Second Edition. Westview Press.

Bush, George W. 2007. "President Bush Discusses Appropriations." Press Release. Retrieved from http://georgewbush-whitehouse.archives.gov/news/releases/2007/10/20071026-2.html

Cameron, Charles, and Nolan McCarty. 2004. "Models of Vetoes and Veto Bargaining" *Annual Review of Political Science* 7:409-435.

Cameron, Charles M. 2000.*Veto Bargaining: Presidents and the Politics of Negative Power*. Cambridge: Cambridge University Press.

Canes-Wrone, Brandice. 2005. *Who Leads Whom?: Presidents, Policy, and the Public*. Chicago: University Of Chicago Press.

Carroll, Royce et al. 2009. "Common Space DW-NOMINATE Scores with Bootstrapped Standard Errors (Joint House and Senate Scaling)."

Cowart, Andrew T., Tore Hansen, and Karl-Erik Brofoss. 1975. “Budgetary Strategies and Success at Multiple Decision Levels in the Norwegian Urban Setting.” *The American Political Science Review* 69(2): 543–558.

Cox, Gary W., and Mathew D. McCubbins. 1993. Legislative Leviathan: Party Government in the House. Cambridge, UK: Cambridge University Press.

Cox, Gary W., and Mathew D. McCubbins. 2005. Setting the Agenda: Responsible Party Government in the U.S. House of Representatives. Cambridge University Press.

Crespin, Michael H., and David W. Rohde. 2010. “Dimensions, Issues, and Bills: Appropriations Voting on the House Floor.” *Journal of Politics* 72(04): 976–89.

Davis, Otto A., M. A. H. Dempster, and Aaron Wildavsky. 1966. “A Theory of the Budgetary Process.” *The American Political Science Review* 60(3): 529–547.

Davis, Otto A., M. A. H. Dempster, and Aaron Wildavsky. 1974. “Towards A Predictive Theory of Government Expenditure: US Domestic Appropriations.” *British Journal of Political Science* 4(04): 419–452.

Dearden, James A., and Thomas A. Husted. 1990. “Executive Budget Proposal, Executive Veto, Legislative Override, and Uncertainty: A Comparative Analysis of the Budgetary Process.” *Public Choice* 65(1): 1–19.

Dempster, M. A. H., and Aaron Wildavsky. 1979. “ON CHANGE: OR, THERE IS NO MAGIC SIZE FOR AN INCREMENT.” *Political Studies* 27(3): 371–389.

Fenno, Richard F. 1966. *The Power of the Purse: Appropriations Politics in Congress.* Little, Brown and Company.

Kamlet, Mark S., and David C. Mowery. 1983. “Budgetary Side Payments and Government Growth: 1953-1968.” *American Journal of Political Science* 27(4): 636–664.

Kamlet, Mark S., and David C. Mowery. 1987. “Influences on Executive and Congressional Budgetary Priorities, 1955-1981.” *The American Political Science Review* 81(1):155-178.

Kennan, John, and Robert Wilson. 1993. “Bargaining with Private Information.” *Journal of Economic Literature* 31(1):45-104.

Kiewiet, D. Roderick, and Mathew D. McCubbins. 1988. “Presidential Influence on Congressional Appropriations Decisions.” American Journal of Political Science 32(3): 713.

Kiewiet, D. Roderick and Matthew D. McCubbins. 1991. *The Logic of Delegation: Congressional Parties and the Appropriations Process.* Chicago: University of Chicago Press.

Kousser, Thad and Justin H. Phillips. 2012. *The Power of American Governors: Winning on Budgets and Losing on Policy.* Cambridge University Press.

Krehbiel, Keith. 1998. *Pivotal Politics: A Theory of U.S. Lawmaking*. 1st ed. Chicago: University Of Chicago Press.

Lindblom, Charles E. 1959. “The Science of Muddling Through.” *Public Administration Review.*19(2), 79-88.

Mowery, David C., Mark S. Kamlet, and John P. Crecine. 1980. “Presidential Management of Budgetary and Fiscal Policymaking.” *Political Science Quarterly* 95(3): 395–425.

Neustadt, Richard. 1960. *Presidential Power, the Politics of Leadership.* Wiley.

Obama, Barack. 2012. " Weekly Address: Congress Must Act to Create Jobs and Grow the Economy." September 22. http://www.whitehouse.gov/the-press-office/2012/09/22/weekly-address-congress-must-act-create-jobs-and-grow-economy

Rapoport, A. and Chammah, A.M. 1966. "The Game of Chicken." *American Behavioral Scientist* 10.

Wildavsky, Aaron. 1964. *The Politics of the Budgetary Process.* Boston: Little-Brown.

Woon, Jonathan, and Sarah Anderson. 2012. “Political Bargaining and the Timing of Congressional Appropriations.” *Legislative Studies Quarterly* 37(4):409-436.

Figure 1: Days to Passage of Appropriations Bills

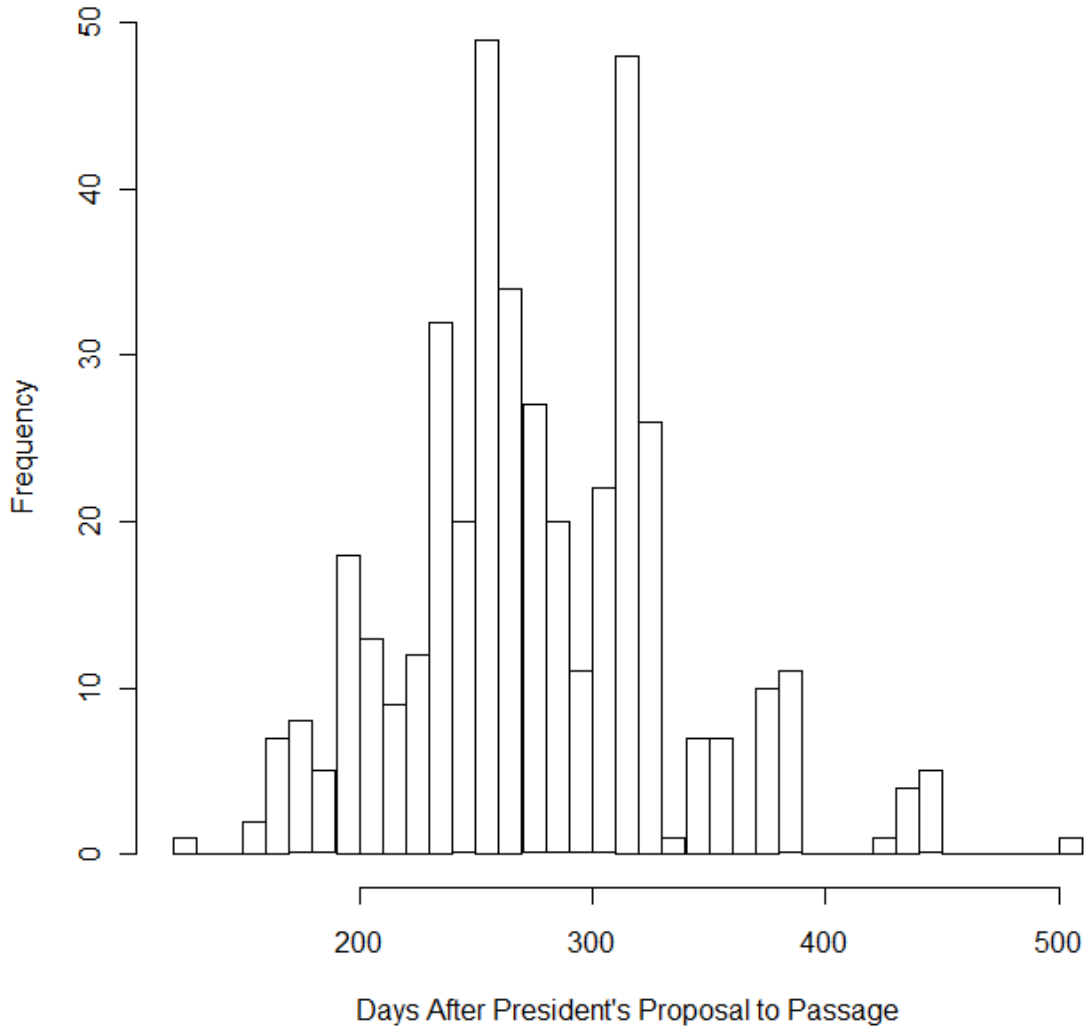

Table 1: Models of Concessions to the President

Dependent Variable:	Model 1: Concessions $\frac{\lvert C_{it} - F_{it}\rvert - \lvert P_{it} - F_{it}\rvert}{\lvert C_{it} - P_{it}\rvert}$	Model 2: Simple Concessions $\frac{F_{it} - C_{it}}{P_{it} - C_{it}}$	Model 3: Presidential Success $-\lvert \square P_{it} - \square F_{it}\rvert$
Days of delay	0.15*	0.63	-0.014
	(0.083)	(0.46)	(0.014)
Election Year	2.88	-18.9	-0.89
	(9.50)	(101)	(1.51)
Presidential	32.2**	182*	1.91
Election Year	(12.7)	(108)	(2.01)
Presidential	54.4	39.7	23.7**
Approval	(41.5)	(325)	(10.7)
Distance btw	-150*	-111	-3.91
P and C	(87.2)	(402)	(22.8)
Distance btw	-125	190	-5.13
Chambers	(93.4)	(723)	(28.8)
# of Pres. Party	-0.31	2.08	-0.029
in House	(0.32)	(2.50)	(0.059)
# of Pres. Party	3.53**	1.32	-0.017
in Senate	(1.76)	(11.2)	(0.24)
Pres. Majority	-43.2***	-134*	2.33
in House?	(14.4)	(78.5)	(2.29)
Pres. Majority	-21.2	39.5	3.14
in Senate?	(15.2)	(86.1)	(3.56)
Constant	-110	-681	-9.38
	(117)	(589)	(31.6)
Fixed Effects	Yes	Yes	Yes
Observations	389	389	379
R-squared	0.070	0.020	0.042
Number of bills	15	15	14

Robust standard errors in parentheses
*** p<0.01, ** p<0.05, * p<0.1

Table 2: Models of Outcome Extremity for Symmetric Bargaining and "War of Nerves"

Dependent Variable:	Model 4: Extremity Measure 1 $\left\|\frac{\|C_{it} - F_{it}\| - \|P_{it} - F_{it}\|}{\|C_{it} - P_{it}\|}\right\|$	Model 5: Extremity Measure 2 $\left\|\frac{F_{it} - C_{it}}{P_{it} - C_{it}} - 50\right\|$
Days of delay	-0.029	0.019
	(0.030)	(0.44)
Election Year	8.98**	166*
	(3.57)	(98.0)
Presidential	-15.6***	-215**
Election Year	(4.99)	(102)
Presidential	20.5	25.8
Approval	(18.2)	(313)
Distance btw	36.8	-390
P and C	(31.6)	(381)
Distance btw	37.8	-476
Chambers	(33.9)	(706)
# of Pres. Party	0.082	-5.36**
in House	(0.13)	(2.40)
# of Pres. Party	-1.23*	8.13
in Senate	(0.72)	(10.4)
Pres. Majority	6.87	131*
in House?	(5.37)	(76.9)
Pres. Majority	9.10	18.2
in Senate?	(5.85)	(83.8)
Constant	88.1*	1,044*
	(47.2)	(580)
Fixed Effects	Yes	Yes
Observations	389	389
R-squared	0.064	0.040
Number of bills	15	15

Robust standard errors in parentheses
*** p<0.01, ** p<0.05, * p<0.1

Table 3: Alternative Models of Concessions to the President

	Model 6: Subset where President's proposal is not between House's and Senate's	Model 7: House Concessions to President	Model 8: Senate Concessions to President
Days of delay	0.15*	0.068	0.17**
	(0.083)	(0.085)	(0.083)
Election Year	6.03	0.77	-4.39
	(9.58)	(10.4)	(8.87)
Presidential	21.7*	16.3	31.8***
Election Year	(13.1)	(13.4)	(12.3)
Presidential	16.4	15.8	48.2
Approval	(40.9)	(47.3)	(43.8)
Distance btw	-161*		
P and C	(85.7)		
Distance btw	-112	-61.5	-161*
Chambers	(90.5)	(101)	(88.6)
# of Pres. Party	-0.11	-0.98**	0.10
in House	(0.30)	(0.47)	(0.26)
# of Pres. Party	1.06	6.69***	0.13
in Senate	(1.68)	(2.50)	(1.95)
Pres. Majority	-45.8***	-55.6***	-36.6***
in House?	(13.5)	(19.9)	(12.9)
Pres. Majority	-10.0	-39.8**	8.52
in Senate?	(13.6)	(19.6)	(14.5)
Distance btw		-274**	
P and H		(109)	
Distance btw			-36.2
P and S			(64.3)
Constant	-13.1	22.6	-116
	(120)	(119)	(115)
Observations	319	391	388
R-squared	0.088	0.045	0.057
Number of bills	15	15	15

Robust standard errors in parentheses
*** p<0.01, ** p<0.05, * p<0.1

Table 4: Split Sample Results Based on Whether the President Requests More Spending than Congressional Proposals

	Model 9: House concessions where President requests less than House	Model 10: House concessions where President requests more than House	Model 11: Senate concessions where President requests less than Senate	Model 12: Senate concessions where President requests more than Senate
Days of delay	0.36**	0.0076	0.22*	0.052
	(0.16)	(0.10)	(0.13)	(0.11)
Election Year	-17.2	4.71	-11.5	1.10
	(15.5)	(12.6)	(14.2)	(10.6)
Presidential	30.1	7.10	59.6***	6.28
Election Year	(23.2)	(16.4)	(20.0)	(14.9)
Presidential	-110	74.4	23.3	66.7
Approval	(76.4)	(59.7)	(60.9)	(60.7)
Distance btw	-413**	-172		
P and H (or S)	(170)	(134)		
Distance btw	-40.2	47.0	-273**	-29.7
Chambers	(141)	(136)	(137)	(127)
# of Pres. Party	-1.37*	-0.41	-0.22	1.06**
in House	(0.73)	(0.61)	(0.31)	(0.53)
Pres. Majority	-67.3**	-41.4	-22.8	-67.8***
in House?	(27.7)	(26.3)	(18.5)	(21.9)
# of Pres. Party	9.03**	0.058	4.02	-4.87
in Senate	(3.90)	(3.36)	(3.24)	(3.07)
Pres. Majority	-65.1**	15.1	-13.8	50.6*
in Senate?	(28.7)	(28.0)	(19.7)	(27.5)
Constant			-32.2	89.6
			(114)	(93.4)
Observations	152	239	184	204
R-squared	0.12	0.031	0.10	0.10
Number of bills	14	13	15	14

Robust standard errors in parentheses
*** p<0.01, ** p<0.05, * p<0.1

Table 5: Alternate Measures of Concessions to Deal with Strategic Behavior

	Model 13: Ordered Probit	Model 14: Simple Concessions to House	Model 15: Simple Concessions to Senate	Model 16: "Sincere" Presidential Requests
Dependent Variable:	Trichotomous version of Concessions Measure 1	$-\lvert\Delta H_{it} - \Delta F_{it}\rvert$	$-\lvert\Delta S_{it} - \Delta F_{it}\rvert$	$\left\lvert \frac{\lvert C_{it} - F_{it}\rvert - \lvert \hat{P}_{it} - F_{it}\rvert}{\lvert C_{it} - \hat{P}_{it}\rvert} \right\rvert$
Days of delay	0.0028**	-0.025	-0.010*	0.045*
	(0.0013)	(0.015)	(0.0058)	(0.025)
Election Year	0.020	-0.41	-1.26	5.97*
	(0.16)	(2.03)	(0.98)	(3.60)
Pres Election Year	0.42**	-1.33	2.20*	-7.35**
	(0.21)	(2.67)	(1.12)	(3.44)
Presidential Approval	-0.032	18.7*	10.8**	-12.5
	(0.69)	(9.79)	(4.26)	(12.6)
Distance btw P and C	-1.87	17.2	-23.4***	15.0
	(1.42)	(19.4)	(8.38)	(15.9)
Distance btw Chambers	-2.11	0.062	9.01	-13.9
	(1.62)	(21.6)	(7.85)	(20.8)
# Pres. Party in House	-0.0040	0.00011	-0.11***	0.14
	(0.0060)	(0.059)	(0.033)	(0.11)
# Pres. Party in Senate	0.054	-0.34	0.18	-1.28*
	(0.035)	(0.30)	(0.17)	(0.70)
Pres Majority in House?	-0.55**	6.39**	3.65***	-3.02
	(0.27)	(3.05)	(1.28)	(4.94)
Pres Majority in Senate?	-0.40	2.32	-2.68*	13.5**
	(0.30)	(3.22)	(1.49)	(5.63)
Cut1/ Constant	1.41	-6.60	20.4*	-81.0***
	(1.97)	(24.2)	(11.4)	(22.5)
Cut2	1.81			
	(1.97)			
Fixed Effects	No	Yes	Yes	Yes
R-squared		0.034	0.088	0.043
Observations	411	386	377	400

Appendix

Table A1: Summary Statistics

Variable	Measure	Obs	Mean	Std. Dev.	Min	Max
Concession Measure 1	$\frac{\lvert C_{it} - F_{it}\rvert - \lvert P_{it} - F_{it}\rvert}{\lvert C_{it} - P_{it}\rvert}$	391	-38.84	74.74	-100	100
Concession Measure 2	$\frac{F_{it} - C_{it}}{P_{it} - C_{it}}$	391	-28.29	586.45	-7518.86	2377.55
Concession Measure 3	$-\lvert \square P_{it} - \square F_{it}\rvert$	381	-7.61	13.56	-163.41	-0.0020
Extremity Measure 1	$\left\lvert \frac{\lvert C_{it} - F_{it}\rvert - \lvert P_{it} - F_{it}\rvert}{\lvert C_{it} - P_{it}\rvert} \right\rvert$	391	78.38	30.64	1.28	100
Extremity Measure 2	$\left\lvert \frac{F_{it} - C_{it}}{P_{it} - C_{it}} - 50 \right\rvert$	391	168.23	567.18	0.64	7568.86
Trichotomous Measure		417	-0.33	0.87	-1	1
Concessions to Congress: Concession Measure 3	$-\lvert \square C_{it} - \square F_{it}\rvert$	379	-4.92	8.99	-87.69	-0.0068
"Sincere" Concessions to President	$\left\lvert \frac{\lvert C_{it} - F_{it}\rvert - \lvert \hat{P}_{it} - F_{it}\rvert}{\lvert C_{it} - \hat{P}_{it}\rvert} \right\rvert$	402	-94.17	24.08	-100	100
Delay	Days between president's and final budget	411	276.26	58.13	125	504
Presidential Approval	Average of Gallup polls in that year	414	0.53	0.10	0.30	0.72
Distance btw. President and Congress	Common Space DW-NOMINATE	414	0.60	0.15	0.32	0.80
Distance btw. President and House	Common Space DW-NOMINATE	414	0.61	0.17	0.32	0.83
Distance btw. President and Senate	Common Space DW-NOMINATE	414	0.59	0.14	0.32	0.78
# of Members President's Party in the House		415	210.11	38.72	144	292
# of Members President's Party in the Senate		415	50.28	5.65	37	61
Distance btw the chambers	Common Space DW-NOMINATE	414	0.062	0.060	0	0.18

Table A2: Robustness checks for Omnibus/CR Legislation

Dependent Variable:	Model A1: On subset without omnibus and CRs $\frac{\lvert C_{it} - F_{it}\rvert - \lvert P_{it} - F_{it}\rvert}{\lvert C_{it} - P_{it}\rvert}$	Model A2: Interaction between omnibus and delay $\frac{\lvert C_{it} - F_{it}\rvert - \lvert P_{it} - F_{it}\rvert}{\lvert C_{it} - P_{it}\rvert}$
Days of delay	0.18*	0.17
	(0.11)	(0.10)
Election Year	2.00	2.38
	(11.8)	(9.51)
Presidential	25.8	32.0**
Election Year	(16.1)	(12.8)
Presidential	10.0	53.2
Approval	(56.7)	(41.8)
Distance btw	-19.5	-151*
P and C	(115)	(89.7)
Distance btw	-224*	-125
Chambers	(121)	(94.0)
# of Pres. Party	-0.014	-0.31
in House	(0.41)	(0.32)
# of Pres. Party	1.49	3.47*
in Senate	(2.13)	(1.78)
Pres. Majority	-23.0	-41.4***
in House?	(21.2)	(15.7)
Pres. Majority	2.27	-21.6
in Senate?	(19.1)	(15.2)
Omnibus or CR		18.1
		(58.3)
Omnibus or CR*		-0.057
Delay		(0.20)
Constant	-143	-109
	(132)	(120)
Fixed Effects	Yes	Yes
Observations	261	389
R-squared	0.050	0.070
Number of bills	14	15

Robust standard errors in parentheses
*** p<0.01, ** p<0.05, * p<0.1

Table A3: Robustness Check with Maximum Distance between the President and the Chambers

Dependent Variable:	Model A3: Concessions with max distance $\frac{\lvert C_{it} - F_{it}\rvert - \lvert P_{it} - F_{it}\rvert}{\lvert C_{it} - P_{it}\rvert}$
Days of delay	0.15*
	(0.083)
Election Year	2.97
	(9.48)
Presidential	31.3**
Election Year	(12.3)
Presidential	50.5
Approval	(39.7)
Maximum Distance btw	-175***
P and C	(59.6)
# of Pres. Party	-0.34
in House	(0.30)
# of Pres. Party	3.40*
in Senate	(1.74)
Pres. Majority	-44.2***
in House?	(14.3)
Pres. Majority	-23.5*
in Senate?	(14.0)
Constant	-79.8
	(87.4)
Fixed Effects	Yes
Observations	389
R-squared	0.070
Number of bills	15

Robust standard errors in parentheses
*** p<0.01, ** p<0.05, * p<0.1

Note: This does not include the control for distance between the chambers because its inclusion makes this specification identical to Model 1.

Table A4: Fixed Effects from Model 1

Dependent Variable	Model 1: Concessions $\frac{\lvert C_{it} - F_{it}\rvert - \lvert P_{it} - F_{it}\rvert}{\lvert C_{it} - P_{it}\rvert}$
Commerce-State-Justice	-23.4
	(19.8)
DC	-54.5***
	(19.3)
Defense	-65.9***
	(17.8)
Energy	-25.0
	(19.2)
Financial Services	130***
	(20.7)
Foreign	-32.0
	(20.3)
Homeland Security	23.1
	(41.2)
Housing and Urban Development	-42.1**
	(19.0)
Interior	-5.90
	(21.0)
Labor	-31.3
	(20.3)
Legislative	21.5
	(20.6)
Military Construction	-54.6***
	(18.3)
Transportation	-29.8
	(18.9)
Treasury	-57.1***
	(18.2)

Robust standard errors in parentheses
*** p<0.01, ** p<0.05, * p<0.1