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Presidential Vetoes: An Event Count Model

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We argue that past models of presidential veto behavior have not adequately conceptualized the fundamental nature of the dependent variable – a count of the total number of vetoes per unit of analysis. Consequently, ordinary least squares techniques have been employed when more appropriate statistical estimation techniques are warranted. Further, past conceptualization (and measurement) of theoretically relevant variables have masked important relationships such as the importance of a bicameral legislature. We show that rigorous consideration of research methodologies provides theoretical insights obscured by relying on more traditional approaches. Finally, this investigation updates understanding of the veto process through the first year of the Clinton administration.

To avoid concentration of political authority in a single political actor, the framers of the constitution intentionally designed a conflictual relationship between the executive and legislative branches. Such an "invitation to struggle" (Crabb and Holt 1980) is epitomized by the president's ability to veto legislation, even when such bills have been painstakingly passed through both chambers of Congress. In fact, Spitzer (1988) has argued that the veto power has become the touchstone of the institutionalized presidency.

Empirical Studies of the Veto Process

Employing regression analysis, Lee (1975) predicted presidential vetoes from Washington to Nixon based upon variables from three categories–"personal characteristics of the individual president," the "power or political situation," and the "socioeconomic environment" (also see Copeland 1983).

In a path-breaking analysis, Rhode and Simon (1985) limited their study of presidential vetoes to the contemporary period of 1945 to 1980 permitting them to utilize more rigorous measures of presidential approval and the eco-

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nomic environment. They found that presidential popularity, the proportion of seats in Congress controlled by the president's party, and the existence of an international conflict all decreased presidential use of the veto. The midterm congressional election year and an "Economic/Political Context Interaction" variable, however, exerted a significant and positive effect on presidential vetoes.

Based upon Rhode and Simon's work, Woolley (1991) extended the data set through 1986 and found (for major bills) that both the president's support in Congress and his level of public support significantly decreased the use of the veto; while the number of bills passed by Congress (as well as a dummy variable for the Ford administration) significantly increased veto use.¹

In the same year Hoff (1991) forcefully argued that pocket vetoes and regular vetoes should be analyzed separately. While most previous studies excluded private bills from the analysis (bills typically involving a single individual) they combined regular vetoes and pocket vetoes. The combination, however, does not appear to be justified theoretically. The processes and the reasons why presidents invoke regular and pocket vetoes are fundamentally different and should be treated accordingly in empirical analysis (Hoff 1991: 32).²

Despite the advances that have been made in our understanding of the presidential veto process, many problems and questions remain. In the following analysis we argue that past models of presidential vetoes have not adequately conceptualized the fundamental nature of the dependent variable – a count of the total number of vetoes per unit of analysis (usually the calendar

¹ For minor vetoes, only the midterm election and presidential election year variables were (positively) significant. Further, Woolley demonstrated that Rhode and Simon's "economic/Political context interaction" was simply a result of the Ford administration. While Woolley's distinction between major versus minor bills is intriguing, it is beyond the scope of this analysis. Further, Woolley provides only modest guidelines concerning his classification of major versus minor bills. Consequently, replication of Woolley's data would prove extremely difficult.

² We strongly agree with Hoffs arguments and argue, in addition, that while regular vetoes can be submitted throughout the legislative year, pocket vetoes can only occur after the Congress has adjourned for the year. Consequently, pocket vetoes are only possible during the last three-to-four months of the calendar year-depending on when Congress adjourns. In addition, the consequences of these two types of vetoes are substantially different. When a president utilizes a regular veto, he must face the possibility that Congress will override this veto. When a president utilizes the pocket veto, however, he does not face the possibility of a congressional override. In the case of the pocket veto, the only retribution that Congress can inflict is to reintroduce the same bill the following year-a process very different from attempting an override attempt in response to a regular veto. Therefore, this analysis investigates only regular vetoes of public bills, and leaves pocket vetoes to future research.

year). Consequently, ordinary least squares regression analysis has been employed when more appropriate statistical estimation techniques are warranted. We show that employing event count modeling to the presidential veto process provides theoretical insights obscured by traditional methodologies. For example, we demonstrate that a bicameral legislature has important ramifications for presidential support in Congress. Finally, this research updates our understanding of the veto process through the first year of the Clinton administration.

THEORETICAL FRAMEWORK

As Rhode and Simon (1985: 401) argue, the president must evaluate two primary criteria before employing the veto power. First, the president must dislike the proposed legislation enough to believe the benefits of obstructing such legislation outweigh possible costs associated with bearing the responsibility of blocking the legislation. Second, the president must have enough support (or persuasive influence) in at least one of the chambers of Congress to withstand a veto override attempt.³ Thus, the use of the veto should be a function not only of the number of objectionable bills that Congress presents to the president, but the degree to which the president is able to withstand a potential veto override attempt. Consequently, the president's use of the veto will be a function of the following factors: (1) institutional elements that increase executive-legislative conflict; (2) the president's resources; and (3) the general political and economic climate.

Institutional Factors

A reoccurring catalyst of institutional conflict is the election cycle. As Rhode and Simon (1985: 403) contend, "an election year constitutes a situation which increases presidential attention to legislative matters and enhances the likelihood of executive-legislative conflict." In other words, during an election year, a president is likely to become very concerned about his legislative goals, promises, and shortcomings. As a result of this additional concentration the president gives to legislative matters, greater institutional conflict is likely to result (Hoff 1991; Watson 1993).

Furthermore, a congressional midterm election year is unique in a president's term as congressional incumbents then have the additional responsibilities associated with reelections and campaigns. Congressional incumbents often appeal to parochial and constituency service-type activities and legisla-

³ Of course, the other alternative is that the president believes that there is more to be gained, in a particular case, by vetoing the bill and facing a congressional override rather than just signing the bill into law.

tion in an effort to cross partisan barriers and appeal to as many voters as possible (Mayhew 1974). These distributive activities may alienate the president who is likely to have a much more comprehensive legislative agenda—increasing institutional conflict (Hoff 1991, Woolley 1991). For example, during the 1978 midterm congressional election year, President Carter vetoed a Public Works bill (HR12928) designed to increase spending for water and energy development. President Carter, and other opponents, argued that the bill was too costly for the nation's budget while the benefits were limited to only a few legislative constituencies (*Congressional Quarterly* 1978: 2721).

Another factor likely to increase executive-legislative conflict is the sheer total number of bills that a president receives in a legislative year (Woolley 1991). According to Hoff (1991: 316), "to the extent that a large number of laws deal with controversial domestic matters or interfere with the president's foreign policy priorities, there is a greater likelihood for inter-institutional conflict" (see also Simonton 1987).⁴

Finally, Woolley (1991: 225) argues that the very large number of vetoes during the Ford administration represents exceptional institutional conflict produced by extraordinary circumstances. Specifically, after the power abuses during the Nixon administration, Congress attempted to reassert its power in an effort to prevent future presidential transgressions (Livingston, Dodd, and Schott 1979). Consequently, President Ford assumed the executive office facing an extremely hostile Congress.

Presidential Resources

Past literature on presidential success in Congress has demonstrated the importance of party control of the legislature for the success of the president's legislative agenda (Edwards 1989; Bond and Fleisher 1990). In fact, Rhode and Simon (1985: 402) argue that "the proportion of seats in Congress held by the president's party is perhaps the most basic resource for generating outcomes favorable to the administration" (see also, Light 1982: 26). The greater the president's congressional support, the more receptive the congressional and committee leaders will be-strengthening the president's bargaining power.

While the relevance of congressional support may be clear, it is important to think carefully about our bicameral legislature. A president could face opposition from both chambers, support from both chambers, or perhaps support from one chamber and opposition from the other. Consider the complicated

⁴ While only one empirical investigation of modern presidential veto use has considered the importance of legislative activity (Woolley: 1991), the remaining ones have not taken this relationship into account (Rhode and Simon 1985; Watson 1993).

political environment that confronted the Reagan administration. Reagan's partisan support in Congress, as a whole, was below 50 percent; he did, however, possess a majority in the Senate during the first six years of his tenure.

In this regard, it is possible that a president facing opposition in one legislative chamber, but simultaneously enjoying support from the other, may be in a more advantageous position to negotiate or even block unwanted legislation-despite the fact that, overall, he may face an unsupportive Congress. Viewing the legislative branch as a single political actor, however, may cloud or even hide such potential relationships.

In addition to partisan support in Congress, the public standing of the president can be a substantial resource (Rhode and Simon 1985). The more popular a president, the greater his persuasive ability is likely to be. As Neustadt (1980: 67), speaking of an unpopular president, concluded, "He may not be left helpless, but his options are reduced, his opportunities diminished, his freedom for maneuver checked in the degree that Washington conceives him unimpressive to the public."

In addition to negotiating power, public evaluations of the president have been found to be important factors in the extent to which legislators support the president's legislative agenda (Edwards 1983; Rivers and Rose 1981; but see Bond and Fleisher 1990).

Political and Economic Context

As President Bush discovered in the 1992 presidential election, a declining economy can be disastrous for a president's domestic agenda as well as hopes for reelection (e.g., Fiorina 1981; Kiewet and Rivers 1984). As Copeland (1983: 700) posits, "Congress and the president often find themselves jockeying to gain credit with the public while hoping the other institution receives the blame for the state of the economy. In general, the level of political combativeness is higher when the nation has economic problems."

Further, it is expected that during periods of major, ongoing, military conflict the president's attention will be diverted away from domestic legislation. Long-term military conflicts are likely to demand a very large proportion of the president's energy and time. It is expected, therefore, that as the president becomes primarily absorbed with the management of a war effort, he will use the veto less than during more "normal" times when he is able to give additional attention to legislative matters (Rhode and Simon 1985: Woolley 1991).

METHODOLOGY AND MODEL SPECIFICATION

Our theoretical framework for analyzing regular presidential vetoes of public bills indicates that factors of institutional conflicts, presidential resources, and

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environmental contexts should be taken into account. In order to test the hypotheses proposed in the previous section, we specify our statistical model as follows:

$$E[(Veto)_{t}] = f \{\beta_{0} + \beta_{1}(Veto)_{t-1} + \beta_{2}(Presidential Election)_{t} + \beta_{3}(Midterm Election)_{t} + \beta_{4}([log(Number of Public Bills)])_{t} + \beta_{5}(Ford)_{t} + \beta_{6}(Partisan Support in the Senate)_{t} + \beta_{7}(Partisan Support in the House)_{t} + \beta_{8}(Presidential Popularity)_{t} + \beta_{9}(Unemployment Rate)_{t} + \beta_{10}(International Conflicts)_{t} \}$$

where $E[\bullet]$ refers to the expected value, and $f\{\bullet\}$ refers to an appropriate functional form that links the linear combination of the independent variables with the expected value of the dependent variable (McCullagh and Nelder 1989: 27).

The dependent variable of this study is the number of regular presidential vetoes of public bills (measurement and coding of the variables is presented in Appendix A). The data we analyzed included forty-seven annual observations (1947–93),⁵ with an aggregated count of incidence of such vetoes at the end of each legislative year.

Since the frequency of presidential vetoes can take on only non-negative integer values (i.e., only the values 0, 1 . . . , occur with nonzero probability), it is a typical discrete random variable called *event* count. As King (1988) points out, ordinary least squares analyses of event counts are inefficient, have inconsistent standard errors, and may produce unreasonable predictions of negative number of events. Event count models, which are built upon the data generating process of counts, are much more appropriate for our research purposes.

⁵ The analysis begins in 1947 because it is the first year for which reliable data exist for the number of congressional bills presented for each congressional calendar year. For the lagged vetoes variable, the number of regular vetoes in 1946 is also included as its first observation. From 1947 to 1993, Congress passed 14,543 public bills and the president exercised the regular veto only 244 times. If we code these bills into a dummy variable according to whether the president vetoes it, then there will be very little variation in the dependent variable since 98.32 percent of the cases will be coded as zero–rendering a "case-by-case" analysis of veto use improbable. Nevertheless, to overcome this problem a yearly unit of analysis is used. This unit of analysis also permits greater comparison with past research typically aggregating presidential vetoes across the calendar year.

The simplest event count model is the Poisson regression model with exponential functional form. The Poisson distribution assumes that the probability of an event occurring at any instant is constant within a period and independent of all previous events during that period. If this assumption of homogeneity does not hold, however, estimators based on the Poisson regression will be consistent but inefficient, and the standard errors will be inconsistent (Cameron and Trivedi 1986: 31; King 1989a: 763).

In the study of presidential vetoes, an assumption of homogeneity may be overly stringent. It is likely that the occurrence rate of vetoes changes under different domestic and international conditions. Vetoes may also be "contagious" in the sense that a veto may heighten institutional conflicts between the executive and the legislative branches and, thus, trigger the latter's passing more objectionable bills to the president, who in turn resorts to the veto power more often in order to forestall those bills from becoming law. On the other hand, a sustained presidential veto may force Congress to be more cooperative with the White House and, thus, decreases the need for the president to use the veto later on.

Contagious processes lead to either overdispersion (i.e., the variance exceeds the mean) or underdispersion (i.e., the variance becomes smaller than the mean), which violates the assumption of homogeneity. It is therefore desirable to test the Poisson restriction and to relax it if necessary. King's (1989a) generalized event count (GEC) model, which allows for testing either form of dispersion and, if it exists, incorporates it into the stochastic component of the model, serves our research purposes best. Therefore, we estimated the parameters in our equation by using King's GEC model (see King 1994).

EMPIRICAL FINDINGS

Table 1 presents the GEC estimates of our model as well as the corresponding coefficients estimated by ordinary least squares. There are very important differences between the OLS and GEC estimates. In fact, inferences gained from the event count model are obscured (and even hidden) with the traditional least squares approach.

In this respect, the differences between ordinary least squares and event count estimation techniques are much more than mere technical corrections. They often result in substantial biases in substantive conclusions (King 1988: 859). In this case, relying on traditional least squares methods would have resulted in the dubious conclusions that there are no significant differences between congressional chambers in the veto process, that the veto behavior of the Ford presidency is decidedly unique, and that modern presidential veto behavior is unaffected by changes in the economic climate, or the number of yearly public bills enacted into law by Congress during the legislative calendar.

Table 1

GENERALIZED EVENT COUNT ESTIMATION OF THE MODEL

Variable	Generalized Event Count Estimation (Robust Standard Error)	OLS Estimation (standard Error)
Constant	1.041	6.314
	(1.857)	(7.565)
Number of Vetoes,	.032	.069
	(.023)	(.117)
Presidential Election	.122	.206
	.171	(1.138)
Midterm Election	.607**	2.465*
	(.209)	(1.136)
Log(Number of Public Bills)	.601**	2.06
5	(.265)	(1.207)
Ford Administration	083	5.995**
	(.269)	(1.974)
Partisan Support in Senate	041*	135
	(.018)	(.103)
Partisan Support in House	006	021
	(.018)	(.096)
Presidential Popularity	03**	-13.0**
	(.006)	(3.94)
Unemployment Rate	.132*	.276
	(.055)	(.346)
International Conflict	515**	-2.82*
	(.158)	(1.22)
Gama	.307	
(Reparameterized Dispersion)	(.229)	
R Square		.74
Adj R Square	-	.65
Durbin's h		1.59

* p < .05 Log Likelihood = 217.6921 ** p < .01 Number of observations = 47

These substantive differences between the two models result because event count models do not assume a continuous dependent variable, a linear functional form, nor are they estimated with the usual least squares method. Instead, GEC estimation techniques model the underlying discrete event counts directly, they adopt a more justifiable exponential functional form, and are estimated with the maximum likelihood method.

Putting the differences between the methodologies aside and focusing strictly on the GEC model (presented in the first column of Table 1), the esti-

mate of the dispersion parameter (listed at the bottom of Table 1) is insignificant-indicating that, during the period of our study, neither over- nor underdispersion is detected after taking into account the explanatory variables in our model. The coefficient attached to the lagged dependent variable is also insignificant, indicating that serial correlation is not a complication for this model. The signs of the rest of the coefficients, except that of the dummy variable for the Ford administration, are in accord with our theoretical expectations, although some are statistically insignificant at the .05 level.

As expected, the midterm congressional election year and the (logarithm of) the total number of public bills lead to an increase in presidential vetoes, while higher partisan support in the Senate, presidential approval rate, and the occurrence of lasting international conflict decrease the use of vetoes.

According to the derivative interpretation suggested by King (1989b: 123), the effect of each independent variable on the count of vetoes equals its coefficient estimate times the sample mean of vetoes, which is 5.1915 in this case. Thus, other things being equal, midterm congressional elections are associated with an average $0.6067 \times 5.1915 \approx 3.15$ additional vetoes due to the conflict of interests between the president's national constituency and congresspersons' more parochial ones. Also, for each additional 100 public bills passed by Congress, the president uses about $(60.06/309.43) \times 5.1915 \approx 1.0$ more regular vetoes.⁶ Also, if the president is unfortunate enough to experience a 1 percent increase in the unemployment rate, he is likely to use the veto approximately one more time per year $(.1317 \times 5.1915 \approx .68)$.

On the other hand, for each additional 10 percent of the public who approve the president's handling of the job, the chief executive exercises about $0.2974 \times 5.1915 \approx 1.54$ fewer vetoes. During a year when the United States is involved in a protracted international conflict, the president also uses about $0.5151 \times 5.1915 \approx 2.67$ fewer regular vetoes. Furthermore, for each 10 percent increase in members of the president's party in the Senate, the president, on average, vetoes $0.4125 \times 5.1915 \approx 2.14$ fewer public bills.

Interestingly, presidential support in the House did not reach statistical significance.⁷ Perhaps, in terms of strategic negotiating power, possessing support in the Senate better enables a president to compromise on or to block

⁶ This interpretation is based on the fact that the derivative of $\beta \cdot \ln(X)$ with respect to X is $\beta \cdot (1/X)$. Here, we replace X with the sample mean of public bills, 309.4255.

⁷ This finding does not appear to be a result of collinearity. While presidential support in the House and the Senate are correlated at .85, a test of two nested models demonstrates that the inclusion of the measure of presidential support in the House does not significantly contribute to the fit of the model. In fact, the log-likelihood of the full model (including presidential support in both the House and Senate) is 217.6921, and the log-

unwanted bills. If a president acts as a strategic political player seeking efficiently to block objectionable bills, forging a minimum winning coalition in the Senate may be much easier than a similar coalition in the House–where the size of such a union must be greater. Further, as the Senate has become increasingly responsive to national trends (Abramowitz and Segal 1992) while House incumbents have become more isolated–and more concerned with particularistic legislation–presidents may find negotiations with Senate incumbents more profitable.

Furthermore, neither the presidential election year, nor the dummy variable for the Ford administration, has a significant effect on the number of presidential vetoes.⁸ This may be partly due to the fact that institutional differences between the executive and legislative branches are blurred somewhat during presidential election years. When an incumbent president is running for reelection, congresspersons relying on the president's coattails may be more cooperative (Calvert and Ferejohn 1983; Campbell 1993).

In order to clarify these relationships further, the following scenarios were simulated in order to show the effects of presidential popularity and congressional support on the presidential veto process under theoretically interesting scenarios.⁹ The predicted values of regular vetoes under these scenarios are shown in Figure 1.

Substantively, as the level of Senate support and presidential approval increases, the less likely the president is to use the veto. In fact, if the president is fortunate enough to enjoy one standard deviation above average in support in

likelihood of exactly the same model excluding the measure of presidential support in the House only drops to 217.6362-twice this difference is far below the critical value of chi-square distribution with 1 degree of freedom at any conventional significance level. Therefore, the insignificance of the House support variable is not due to collinearity but due to its insignificant contribution to the overall fit of the model.

⁸ In early versions of our model, we tested other variables associated with the Executive office such as the year of the president's term, whether it was the president's honeymoon period or whether the president was a lameduck, etc. At no time, however, did any of these variables reach statistical significance.

⁹ The following simulations assume that Gerald Ford is not the president, that it is neither the congressional midterm élection nor presidential election year, and that there is no international conflict. The remaining variables are held constant at their mean values, while the levels of presidential popularity and Senate support are manipulated. The presidential approval measure is set at its mean (54.54) and one standard deviation above (67.17) and one standard deviation below (41.92) the mean. Meanwhile, the measure of partisan support in the Senate is allowed to vary between its empirical range, that is, between the weakest partisan support of 34 percent in 1960, during the Eisenhower administration.

📕 Figure 1

Partisan Support in the Senate, Presidential Approval Rate and the Expected Annual Frequency of Vetoes



the Senate (51.2 + 9.24 = 60.44) as well as approval ratings (67.17), he is expected to veto a mere 1.73 public bills. Conversely, when the president has one standard deviation below average in support both in the Senate (51.2 - 9.24 = 41.96) and in approval ratings (41.92), he is predicted to resort to the veto 7.84 times per year. Of course, as the parameter estimates of the midterm election and international climate indicate, the extent of institutional conflict between the president and Congress is not only a function of the president's resources (i.e., public approval and congressional support), but also a function of the electoral cycle and the larger political climate as well. Unfortunately for the president, such factors (especially midterm elections) are considerably beyond his control.

CONCLUSIONS

In the previous analysis we have updated our understanding of the presidential veto process through the first year of the Clinton administration and have argued that many past studies of presidential vetoes have not adequately distinguished different types of the dependent variable, lumping regular and

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pocket vetoes together. Also, ordinary least squares regression analysis has been employed when more appropriate statistical estimation techniques provide insights not possible using traditional estimation techniques. Our findings also suggest that partisan support in the two chambers of Congress has different impact on the presidential use of vetoes. Specifically, it may be easier for the president to form a winning coalition in the Senate than in the House to block objectionable bills.

Further, our findings suggest that presidents can do very little to reduce the extent of institutional conflict–especially with regard to predetermined election cycles. To the extent that a president is able to promote a healthy economy as well as retain public prestige, he may reduce executive-legislative conflict–especially if he is able to gain support in the Senate. Overall, however, the strong impact of factors largely beyond the president's control suggests that reducing institutional conflict may remain a goal beyond presidential capability.

APPENDIX A

Variable Description

Vetoes: All pocket vetoes and vetoes of private bills have been excluded from the analysis. The occurrence of regular public vetoes is summed over each year from 1947 through 1993.

Ford: This dummy variable assumes the value of 1 during the Ford administration and 0 otherwise.

Midterm elections: This dummy variable takes the value of 1 during midterm congressional election years and zero otherwise.

Presidential elections: This dummy variable takes the value of 1 during presidential election years and zero otherwise.

Partisan Support in the Senate and in the House: These two measures are based on the percentage of congressional incumbents that share the president's partisan affiliation in each chamber.

Popularity: This variable represents the percentage of the public that approves of the president's performance. Past research has constructed this variable by averaging all Gallup public opinion surveys that included this question – providing an indication of "yearly average of presidential popularity." Averaging monthly measures of presidential popularity over an entire year, however, ignores discrepancies between the calendar year and the legislative year. Congress is rarely in session during the last months of the year, and has, occasionally, ended the legislative year as early as August. Including measures of presidential popularity to predict past veto behavior. Therefore, in this analysis monthly measures of presidential approval are aggregated over the legislative year-with those measures occurring after the end of the legislative year included in the average for the next legislative year.

Total number of public bills: This is a measure of the total number of public bills that Congress presents to the president each legislative year. *Annual* count of public bills, not available until 1947, was taken from the Congressional Record Daily Digest–Resume of Congressional Activity. Following King's (1989b: 124–25) derivation, we entered this variable into the equation in its natural logarithm.

International conflict: This dummy variable equals 1 during those years the United States was engaged in military conflict during an entire legislative year. *Unemployment:* Similar to our measure of presidential popularity, monthly unemployment figures were averaged according to the legislative calendar.

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