

Strategic Choices and the Early Bush Legislative Agenda

The early months of a new presidency represent the most important period for establishing the tone and character of the White House's relationship with Congress. It is the time of closest scrutiny and the greatest vulnerability to making major mistakes. Taking the right steps early and avoiding errors can lay the foundation for a productive working relationship. Actions taken early create lasting impressions.

George W. Bush took office after one of the closest elections in American history. The highly unusual, protracted denouement and the truncated transition period of only 38 days—about half the normal time for a shift in power—had the potential to turn the transition into a circus and undermine the new president's chances of legislative success. The Bush White House handled four key strategic elements in its relations with Congress in its early months in office. Although there is no official demarcation of a presidential

transition, a point at about six months in office is a reasonable period for evaluation. There is no doubt that the tragic events of September 11 moved the

administration into a new phase of the Bush presidency.

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Evaluating Strategic Position

The first step a new administration should take to ensure success with Congress is to assess accurately its strategic position so it understands the potential for change. Presidents must largely play the hands that the public deals them through its electoral decisions on the presidency and Congress and its evaluations of the chief executive's handling of his job. Presidents are rarely in a position to augment substantially their political capital, especially when just taking office.

The early periods of new administrations that are most clearly etched on our memories as notable successes are those in which presidents properly identified and exploited conditions for change. When Congress first met in special session in March 1933 after Franklin D. Roosevelt's

inauguration, it rapidly passed the new president's request for bills to control the resumption of banking, repeal Prohibition, and effect government economies. This is all FDR originally planned for Congress to do; he expected to reassemble the legislature when permanent and more constructive legislation was ready. Yet the president found a situation ripe for change, and he decided to exploit this favorable environment and strike repeatedly with hastily drawn legislation before sending Congress home. This period of intense activity came to be known as the Hundred Days.

Lyndon Johnson also knew that his personal leadership could not sustain congressional support for his policies. He realized that the assassination of President Kennedy and the election of 1964 provided him a unique chance to pass his Great Society legislation and moved immediately to exploit it. Similarly, the Reagan administration recognized that the perceptions of a mandate and the dramatic elevation of Republicans to majority status in the Senate provided it with a window of opportunity to effect major changes in public policy, but that it had to concentrate its focus and move quickly before the environment became less favorable. Moreover, within a week of the March 30, 1981, assassination attempt on Reagan, Michael Deaver convened a meeting of other high-ranking aides at the White House to determine how best to take advantage of the new political capital the shooting had created.

If the White House misreads its strategic positions, the president may begin his tenure with embarrassing failures in dealing with Congress. Moreover, the greater the breadth and complexity of the policy change a president proposes, the more opposition it is likely to engender—and thus the stronger the president's strategic position must be to succeed. In an era when a few opponents can effectively tie up bills, the odds are clearly against the White House.

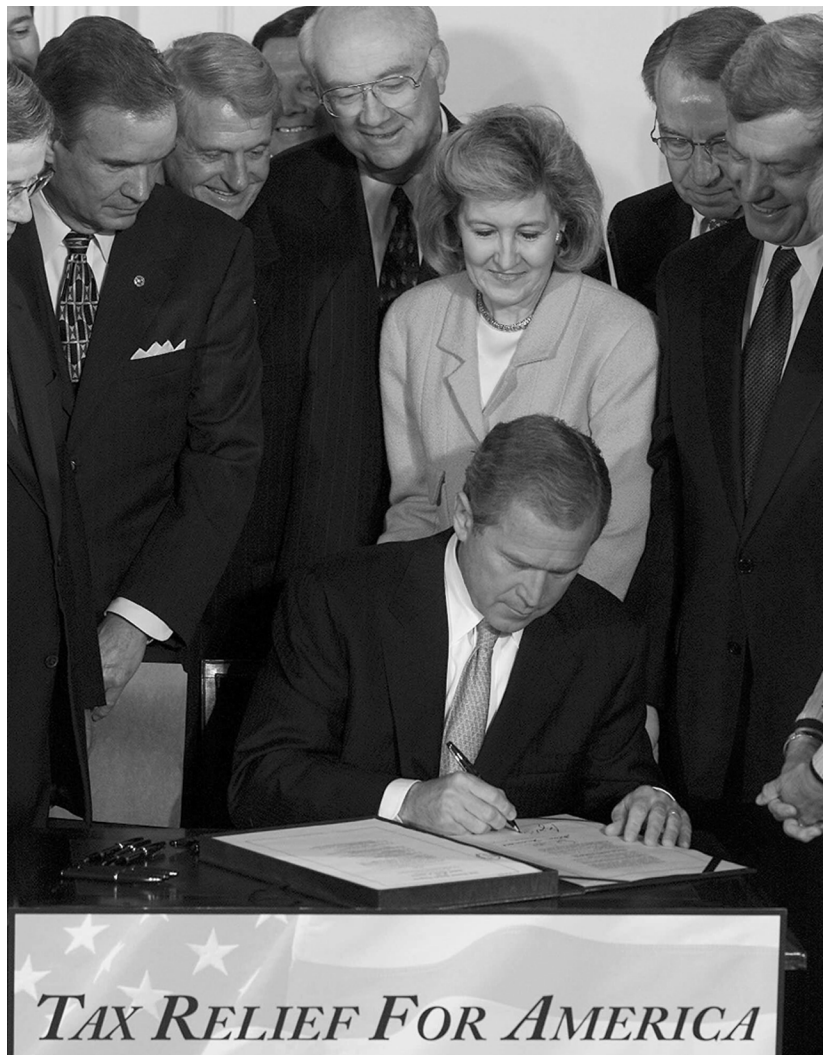
Bill Clinton overestimated the extent of change that a president elected with a minority of the vote could make, especially when the public is dubious and well-organized interest groups are fervently opposed. Nevertheless, the president proposed without Republican support perhaps the most sweeping, complex prescriptions for controlling the conduct

of state governments, employers, drug manufacturers, doctors, hospitals, and individuals in American history. There was insufficient foundation for change of this magnitude. The consequences of the bill's failure were greater than disappointment, however. Because Clinton declared health care reform to be the cornerstone of his efforts to change public policy, his handling of the bill became a key indicator of the administration's competency at governing. The bill's death throes occurred only a few months before the 1994 elections, the greatest midterm electoral disaster for the Democrats since the Truman administration.

The unusual nature of George W. Bush's election had a substantial potential to weaken the start of his presidency. Receiving neither a majority nor even a plurality of the vote, Bush became the first candidate since 1888 to be elected with fewer popular votes than his principal opponent. Many (mostly Democrats) saw his victory as illegitimate, because he received more than a half-million fewer votes than Al Gore and because of the peculiar circumstances surrounding the determination of the winner of Florida's electoral votes.

In light of the election results, the new president could not credibly claim a mandate from the people. Moreover, the Republicans lost seats in both houses of Congress, undermining any claim to presidential coattails. After the election, Republicans found themselves with only a very narrow majority in the House and required the vice president to break a 50-50 split in the Senate.

It is not difficult to imagine a president elected in such circumstances to move cautiously, seeking first to increase his legitimacy with the majority of the public who did not support him for president. Some commentators



Early success. President Bush, surrounded by lawmakers, signs his \$1.35 trillion tax cut bill on June 7, 2001, at the White House. AP Photo.

TABLE 1
Support for Bush Tax Cut

Poll Date	Favor	Oppose	No Opinion
Feb. 9 - 11, 2001	56%	34%	10%
Feb. 19 - 21, 2001	53	30	17
March 5 - 7, 2001	56	34	10
April 20 - 22, 2001	56	35	9

Source: Gallup Poll, "Based on what you have read or heard, do you favor or oppose the federal income tax cuts George W. Bush has proposed?"

saw the potential for paralysis in Washington, and others (again, mostly Democrats) urged the president to act as if he were indeed paralyzed, proposing only policies that enjoyed bipartisan support.

Bush was not intimidated by the narrowness of his election or the nature of its resolution, however. Although his tone was one of reconciliation, he ignored those who urged him to strike a bipartisan posture and hold off on his

major initiatives. The White House correctly understood that the one policy that both unified and energized Republicans was tax cuts. Although most congressional Democrats would oppose the cuts, a majority of the public, including Independents and even some Democrats, would support or at least tolerate them. Equally important, tax cuts, unlike most other major policies, could be considered under rules that prohibited a filibuster. Thus, a united, although slender, majority could prevail.

Choosing a Strategy for Governing

Having evaluated his strategic position, the president must choose a strategy for governing within the context in which he finds himself. One approach is to seek to pass legislation through relatively quiet negotiations with congressional leaders. The president's father, George H.W. Bush, provided an example with his administration's efforts regarding environmental, education, and budget policy. An alternative strategy is to take the case to the people, counting on public opinion to move Congress to support the president. The second President Bush, surprisingly to some, chose the latter course.

Soon after taking office, the president launched a massive public relations campaign on behalf of his priority initiatives. At the core of this effort was the most extensive domestic travel schedule of any new president in American history. Bush spoke in 29 states by the end of May, often more than once.

The White House employs a “rolling” announcement format in which it alerts the press that it will be making an announcement about a legislative initiative in coming days, sparking stories on the upcoming news. Then it makes the announcement, generating yet additional stories. Finally, the president travels around the country repeating the announcement he just made, obtaining both local and network coverage of his media events.

It is one thing to go public. It is something quite different to succeed in moving public opinion. Table 1 shows responses to Gallup Poll questions on the president’s tax cut proposal. The results show that public opinion did not change in response to the president’s efforts.

Also valuable for the president is demonstrating preexisting public support when that support lies in the constituencies of members of Congress who are potential swing votes. Often Bush’s travels seemed motivated more by demonstrating his support in states where he ran well in the election than in convincing more skeptical voters of the soundness of his proposals.

He did not travel to California until May 29 and visited New York even later. Instead, the White House gave priority to states that Bush had won and that were represented by Democratic senators, including Georgia, Louisiana, Arkansas, Missouri, North and South Dakota, Montana, and North Carolina.

Whatever the president’s motivations, he obtained the support of only one Senate Democrat (Zell Miller of Georgia, who announced his support of the tax cut before Bush was inaugurated) on the April 4 bellwether vote for his full tax cut.

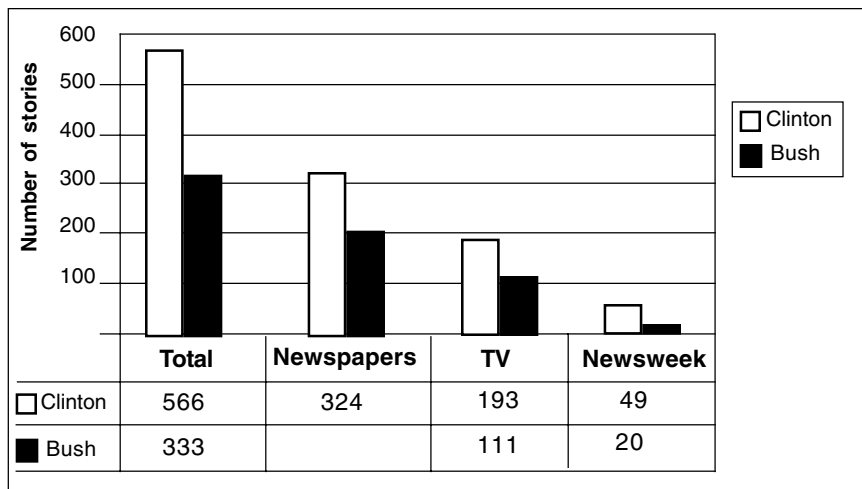
The president faced similar frustrations in increasing his public support with his two nationally televised addresses. His approval went up only one percentage point in the Gallup poll following his address to a joint session of Congress on February 27, 2001, and only two percentage points following his August 9, 2001, address on his decision regarding federal funding of stem cell research.

There are many potential explanations for failing to move the public, but part of the reason for the modest response to Bush’s addresses may be that he drew equally modest audiences. For example, only 39.8 million viewers saw at least part of his address on February 27, compared to 67 million viewers for Bill Clinton’s first nationally televised address in 1993. Moreover, there was a substantial fall-off in viewership during the president’s speech.¹

As we have seen, Bush compensated for the increased difficulty of obtaining time on television for presidential speeches and of gaining an audience when television provides coverage, by traveling extensively around the country. The question is whether the increase in local appearances led to an increase in news coverage for the president and his policies. Early indications are that it did not. Figure 1 shows that a study of the news coverage of

the first 60 days of the Clinton and George W. Bush presidencies found that there was a dramatic across-the-board drop-off in coverage on television, newspapers, and news weeklies. Network television coverage was down 42% and newspaper coverage (*New York Times* and *Washington Post*) was off 38%. *Newsweek* magazine had 59% fewer stories about Bush in its pages than it carried about Clinton eight years earlier. Although the president was still a dominant figure on op-ed and editorial pages,

FIGURE 1
Media Coverage of the President in the First 60 Days



he was less visible in the front pages, newscasts, and financial pages (Project For Excellence in Journalism 2001). This lower profile was unlikely to be an asset in advancing the president’s agenda.

Setting Priorities

New presidents are wise to resist the temptations to try to deliver on all their campaign promises immediately following their elections and to accede to the many demands that are made on a new administration. Instead, it is important to establish priorities among legislative proposals. In addition, because the Washington community pays disproportionate attention to the first major legislative initiatives, it is especially critical to choose early battles wisely.

If the president is not able to focus Congress’s attention on his priority programs, they may become lost in the complex and overloaded legislative process. Congress needs time to digest what the president sends, to engage in independent analyses, and to schedule hearings and markups. Unless the president clarifies his priorities, Congress may put the proposals in a queue.

Setting priorities is also important because presidents and their staff can lobby effectively for only a few bills at a time. The president’s political capital is inevitably limited, and it is sensible to focus on the issues he cares about most. Setting priorities early also can reduce intra-administration warfare over the essence of the administration.

President Carter was widely criticized for failing to set legislative priorities, especially in light of the scale,

diversity, complexity, and controversial nature of his initial legislative program. Conversely, the Reagan administration knew it lacked the political capital to pass a broad program that would include divisive social issues. Thus, it enforced a rigorous focus on the president's economic plan, its priority legislation. By focusing its resources on its priorities, the administration succeeded in using the budget to pass sweeping changes in taxation and defense policy.

Karl Rove, the president's wide-ranging senior adviser, maintained that Bush campaigned on six key issues: tax cuts, education standards, military upgrades and a missile defense shield, federal support for faith-based charities, partial privatization of Social Security, and Medicare reforms and prescription drug coverage for seniors (Simendinger 2001, 2335). If these were Bush's priorities, he did a good job of focusing on them.

First, the Bush White House made a clear choice of a large income tax cut as its highest legislative priority. This made good sense for a conservative administration. The president and his advisors felt that the notable victory of enacting a major tax cut early in the administration would signal the administration's competence in governing while unifying the Republican party for the more difficult issues ahead. Equally important, by severely limiting the government's resources, cutting taxes would set the terms for nearly all the policy debates that would follow and restrain the Democrats' ability to use the budget surplus for expansion of social welfare policies.

It remains an open question whether the tax cut has also undermined the administration's ability to fund its own initiatives, such as a defensive missile shield, or to respond to demands for popular programs, such as a prescription drug program under Medicare. Similarly, it is unclear whether engaging in a highly partisan fight over taxes while simultaneously seeking bipartisan support on other issues had counterproductive consequences for future coalition building.

Tax cuts were not the administration's only priorities, of course. Education reform, an overhaul of defense policy, and greater federal support for faith-based social welfare programs were also high on the list. The president not only spoke extensively about each initiative, but also went to considerable lengths to focus attention on each proposal in the early weeks of the administration. The faith-based initiative received attention in the week after the inauguration, followed in successive weeks by education, tax cuts, and defense.

Not surprisingly, a study of the first 60 days of news coverage of the Bush and Clinton administrations found

that Bush was more successful than Clinton in controlling his message. Each of the five major stories about Bush was on his priority initiatives, amounting to more than a third of all stories (Project For Excellence in Journalism 2001).

Setting priorities in the early weeks of a new administration is also important because during the first months in office the president has the greatest latitude in focusing on priority legislation. After the transition period, other interests have more influence on the White House agenda. Congress is quite capable of setting its own agenda and is unlikely to defer to the president for long. In addition, ongoing policies continually force decisions to the president's desk.

The Bush presidency is no exception to the challenge of controlling the national agenda. At the same time that the president was seeking support for his priority items, he had to engage in legislative battles on important issues such as campaign finance reform and a patients' bill of rights, and make a highly visible decision on stem cell research. In fact, he had to devote one of only two nationally televised addresses (scarce presidential resources) of his first seven months in office to the latter. Bush also inevitably became embroiled in the issue of Navy practice bombings in Vieques, Puerto Rico.

More damaging were his responses to the unexpected energy shortage in California and potential environmental regulations, many of which were proposed by his predecessor. His and Vice President Cheney's energy plan was widely viewed as a sop to the oil and gas industry the two served, and many people saw the administration as having a weak commitment to environmental protection.

Responding to the terrorist attacks of September 11 immediately dominated the president's agenda. The emphasis on national unity in the weeks that followed the tragedy and the inevitable focus of the president's energies on national security limited the opportunities for him to push hard for his most contentious proposals.

Moving Rapidly

Presidents must not only recognize the opportunities in their environment, devise a strategy for governing, and set priorities. To succeed with Congress, they must also move rapidly to exploit those opportunities. First-year proposals have a better chance of passing Congress than those sent to the Hill later in an administration. Thus, the White House should be ready to send its priority legislation to Capitol Hill.

The failure to be ready to propose priority legislation may be costly. A policy vacuum existed in the approximately 10 months between Bill Clinton's inauguration and the arrival of a complete health care reform proposal on Capitol Hill. In this vacuum, issues of relatively low priority such as gays in the military received disproportionate attention in the press and may have cost the administration vital goodwill that it would need in its search for support for its cornerstone policy. In addition, the president was forced to raise health care reform in the

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context of major expenditures of political capital in battles on behalf of his budget and NAFTA.

Despite a truncated transition, George W. Bush lost no time in sending priority bills to Congress. Proposals for a large cut in income taxes, education reform, and increased support for faith-based charities went to Congress in short order. Specific changes in defense policy would take longer, requiring an extensive review of the massive U.S. national security programs.

The administration was not ready with proposals for all its priority issues, however. Two very important items on the “big six” list were deferred for another year. Social Security reform was delegated to a commission. Medicare and prescription drugs were postponed. Given the disappearance of the general revenue budget surplus, the lack of consensus on these issues, and the president’s limited political capital, the delays appear to be sensible strategic choices rather than evidence of disorganization or lethargy.

Conclusion

The George W. Bush administration commenced under difficult circumstances. There was never a possibility it could move a large, contentious agenda through a closely divided Congress. Within this context, the White House

made a number of smart strategic choices to increase the probability of advancing its proposals. First, it made an accurate evaluation of its strategic position. It was neither intimidated by the closeness of the election or its polarizing resolution nor was it prone to overreaching. For example, when it saw that school vouchers were not going to pass, it expended little political capital on their behalf. The administration set priorities and focused on them. The president moved quickly on his highest priority legislation, getting most of what he wanted in the \$1.35 trillion tax cut—the largest since 1981.

All was not smooth sailing, however. Most policies had less saliency and thus brought less unity to Republicans than tax cuts. Although the president effectively exploited the opportunities in his environment, he was unable to increase his political capital. Going public did not move the public, and Senator James Jeffords of Vermont left the Republican party, shifting the majority in the Senate to the Democrats (and eclipsing the president’s success on the tax cut). The president inevitably had to become involved in lower-priority policies and had to make substantial compromises on core items on his agenda dealing with education and the faith-based charities. The administration seemed headed for similar compromises on defense spending until the terrorist attacks of September 11 dramatically increased its salience.

Note

1. Lisa de Moraes, “Viewers Desert Bush Speech,” *Washington Post*, 1 March 2001, sec. C.

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