

# BEING AN EFFECTIVE LAWMAKER FROM DAY ONE



**Center for  
Effective Lawmaking**

A joint venture between  
University of Virginia and Vanderbilt University

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# WELCOME

Congratulations! You have recently been elected to Congress, and you're joining the select group of men and women who have served in the United States House of Representatives and United States Senate for more than 225 years. What comes next?

You have arrived at this institution with your own top policy priorities, but what can you do to achieve your goals? How can you become successful at advancing your legislative agenda items through the different stages in the legislative process from bill introduction to (hopefully) culmination in a new law? How do you become an effective lawmaker?

In this pamphlet we present lessons that we've learned from the analysis of half a century of data on the legislative activities of members of the U.S. Congress. We scoured the advice that new members of Congress typically receive from their parties, government agencies, and good governance organizations. We then translated those pieces of advice into testable hypotheses and explored what happened to the legislative proposals of those who followed the advice, and those who did not. Based on the CEL's Legislative Effectiveness Score (LES), we find that some of that advice is extremely valuable, while other suggestions seem to make little difference whatsoever.

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# HOW DO WE KNOW?

## Defining and Measuring Legislative Effectiveness

Representatives and Senators engage in many activities of interest and of value to their constituents. They make speeches in Congress that express the views of their constituents in a public forum. They actively contribute to the oversight mission of the legislative branch, by participating in hearings on the actions of the executive branch or private sector. They engage in valuable casework for their constituents in ways that other public officials simply cannot do.

While all of these activities, and many others, are important and valuable aspects of a Representative's or Senator's job, our definition and metric of legislative effectiveness focuses entirely on the proven ability of a legislator to advance his or her agenda items (meaning the bills that he or she sponsors) through the legislative process and into law.

More specifically, we measure the legislative effectiveness of a U.S. Representative by drawing data on every public bill (H.R.) that was introduced into the United States House of Representatives during a two-year Congress. For each sponsor, we identify how many of her bills received some sort of action in committee, how many of her bills received action beyond committee, how many of her bills passed the House, and how many of her bills became law. Bills are up-weighted or down-weighted depending on the underlying substantive significance of the bill's content.

Then, using these different bill-level indicators, we calculate a Representative's Legislative Effectiveness Score (LES), which parsimoniously captures how successful a given member of the U.S. House is at moving his or her legislative agenda, in comparison to all other members of the House, across a two-year congressional term.[1]

Legislative Effectiveness Scores are calculated in an analogous manner for members of the U.S. Senate, where we identify the fates of each public Senate Bill (S.) that is introduced by each Senator in each two-year Congress.[2]

[1] For more details, see Chapter 2 of: Volden, Craig, and Alan E. Wiseman. 2014. *Legislative Effectiveness in the United States Congress: The Lawmakers*. New York: Cambridge University Press.

[2] See: Volden, Craig, and Alan E. Wiseman. 2018. "Legislative Effectiveness in the United States Senate." *Journal of Politics* 80(2): 731-735.

Employing this methodology, we have calculated Legislative Effectiveness Scores for every member of the House and Senate since the 93rd Congress (1973 - today). The Scores are calculated to take an average value of “1” in each chamber, which facilitates clear interpersonal comparisons across Representatives (and Senators) in a two-year Congress. As might be expected, we find that members of the majority party, committee and subcommittee chairs, and more senior members are more effective than minority-party members, rank-and-file, and more junior legislators. Beyond such patterns, our explorations focus on the different strategies of freshmen members, to see which actions have helped some become much more effective lawmakers than others.

To learn more about our methodology, as well as see all Legislative Effectiveness Scores, visit [thelawmakers.org](http://thelawmakers.org).



Selected Congress: 115 (2017-18) | Selected State: VA | Search By Zip: zip | Search By Name: name

Legislator ↓ | Party | District | LES | Benchmark | Party Rank

Senators

Kaine, Tim	Dem	VA	0.508	0.759	35 / 48
Warner, Mark	Dem	VA	0.203	0.787	45 / 48

Representatives

Beyer, Don	Dem	VA-8	0.438	0.523	106 / 203
Brat, Dave	Rep	VA-7	0.445	1.343	206 / 245
Comstock, Barbara	Rep	VA-10	3.706	1.329	10 / 245
Connolly, Gerald	Dem	VA-11	1.072	0.566	30 / 203

# POP QUIZ

All newly elected members of the House and Senate are presented with a diverse range of orientation materials from different organizations, such as their respective political parties, the Congressional Research Service, the Congressional Management Foundation, and other groups. Based on our analyses, some of the following pieces of advice were True while others appeared to be False. Can you guess which is which?

1. Hiring a chief of staff or legislative director with extensive experience on Capitol Hill is crucial to effective lawmaking in one's first term. T/F
2. Hiring a chief of staff or legislative director who previously served a lawmaker from your state/district is crucial for effective lawmaking. T/F
3. Majority-party lawmakers who join ideological caucuses, such as the Blue Dog Coalition or the Republican Study Committee, tend to be more effective at lawmaking. T/F
4. Minority-party lawmakers who join ideological caucuses, such as the Blue Dog Coalition or the Republican Study Committee, tend to be more effective at lawmaking. T/F
5. Obtaining a seat on the "prestige" or "power" committees is crucial to becoming an effective lawmaker. T/F
6. Obtaining a seat on a committee aligned with one's expertise or constituent interests is crucial to becoming an effective lawmaker. T/F
7. Lawmakers who mainly attract cosponsors from their own party are more effective than bipartisan lawmakers. T/F
8. Specialists, who build up expertise in a limited number of issue areas, tend to be more effective than generalists with more diverse interests. T/F

*answers on page 6*

These questions collectively engage with many aspects of business that a newly elected member of the House or Senate needs to address quickly: who to hire for one's staff, how to focus one's agenda, how to engage with members of one's own party (as well as members of the opposing party), and how to position oneself within the chamber in terms of committee assignments. The answers to these questions, in turn, speak in a profound way to nearly every part of your business day as you strive to advance your agenda.

# SEEKING ANSWERS TO THESE IMPORTANT QUESTIONS

As alluded to above, we seek to answer these questions by drawing on the lessons that have emerged from our collected research on legislative effectiveness, as presented in numerous peer-reviewed academic publications, publicly circulated working papers, and our ongoing analyses; all of which can be found at [www.thelawmakers.org](http://www.thelawmakers.org). We also draw heavily on the research presented in our book, *Legislative Effectiveness in the United States Congress: The Lawmakers*.<sup>[1]</sup> This book has become a common reference source for scholars of legislative effectiveness, and it was the recipient of the 2015 Gladys M. Kammerer Award for the best book on U.S. National Policy as well as the 2015 Fenno Prize for the best book in legislative studies.

Among other findings in the book, we highlight “The Habits of Highly Effective Lawmakers.” Specifically, we identified twenty members of the U.S. House who were lawmaking over-performers across our forty-year study. Our research explored the tactics they employed across their careers to facilitate their lawmaking success.<sup>[2]</sup>

Drawing on these habits, as well as other aspects of our research, collectively points to two broad categories of activities that legislators might seek to engage with if they want to be effective lawmakers.

**First, they must  
DEFINE their lawmaking agenda; then they must  
ENGAGE with their lawmaking partners.**



[1] Volden, Craig, and Alan E. Wiseman. 2014. *Legislative Effectiveness in the United States Congress: The Lawmakers*. New York: Cambridge University Press.

[2] The complete list of the twenty most “Highly Effective Rank-and-File Lawmakers” can be found on p. 166 in Volden and Wiseman (2014).





## How to Become an Effective Lawmaker in Congress

Based on research from the  
Center for Effective Lawmaking

- Commit** to being an effective lawmaker
  
- DEFINE** your lawmaking agenda
  - D**istrict interests are crucial
  - E**xpertise from prior experiences as starting point
  - F**ocus agenda on your top priorities
  - I**ntegrate committee assignment with agenda
  - N**ever give up
  - E**xcitement and passion help
  
- ENGAGE** with your lawmaking partners
  - E**xperienced legislative staff are essential
  - N**egotiate with committee and floor leaders
  - G**row bipartisan cosponsorships
  - A**rticulate shared goals
  - G**enerate caucus partnerships
  - E**xpand coalition beyond own chamber

For more on effective lawmaking, visit [www.thelawmakers.org](http://www.thelawmakers.org)

# DEFINE Your Lawmaking Agenda

Our **DEFINE** mnemonic refers to which, and how many, issues legislators choose to focus on when building their policy agenda, as well as the manner in which they seek to advance their issue agendas. Our research suggests that cultivating policy expertise based on your **District** and constituency needs, as well as your past **Experiences** can be particularly constructive when trying to advance your agenda. Likewise, it is also important for a new member of Congress to **Focus** your agenda in such a way that you are not engaging with too many issues. And it can be especially helpful to **Integrate** your position of institutional influence (such as your committee assignment) to advance your legislation. Finally, it is important to **Never** give up and to retain your **Excitement** for the long road ahead.



## Answers to pop quiz on page 3

1. True
2. False
3. False
4. True
5. False
6. True
7. False
8. True

# D: District interests are crucial

Legislators who align their legislative goals with state and district interests are less likely to be pulled in different directions by their electoral and lawmaking activities. Such an alignment was found repeatedly among the most effective lawmakers who we studied. Those who cultivated agendas that reflected the priorities of their districts tended to develop a highly specialized degree of policy expertise, which resonated with the clear needs and interests of their constituents. Other members of Congress frequently deferred to these legislators' collective expertise as they sought to advance their policy goals.

A clear example of a highly effective legislator who cultivated a district-based policy portfolio is Don Young (R-Alaska), whose policy portfolio across his decades in Congress might best be referred to as "All Alaska, All the time."

From his earliest days in Congress, an overwhelming majority of Congressman Young's bills engaged with policy matters that were directly relevant to Alaskans. Whether he was advocating for the creation of a Trans-Alaskan oil pipeline, the exploration of the Arctic National Wildlife Refuge, or advocating for legislation that addressed shortcomings in the Alaska Native Claims Settlement Act (as passed in 1971), Congressman Young maintained a singular focus on his constituency. He could credibly speak to their needs when back home; and his expertise was clearly deferred to by his House colleagues.



Such deference was particularly notable during periods of time when he was in the minority party, yet he was still successful at advancing his legislative agenda.[1]

In an interview with the Center for Effective Lawmaking in October 2020 after becoming Dean of the House, Rep. Young offered this advice clearly: "I wish more congressmen would remember 'Represent your district!' Don't be representing everybody's district...that's where we make the mistake now. Because of the national media, we become stars on TV. Don't do that; pay attention to your district. That's what I've been doing." [2]

[1] Further information about Congressman Young's specialization strategies can be found in Volden and Wiseman (2014, pp. 173-176).

[2] To watch the interview visit the Center for Effective Lawmaking online at [thelawmakers.org](http://thelawmakers.org).

# E: Expertise from prior experiences

Whereas some newly elected lawmakers in Congress clearly thrive by cultivating a legislative agenda that is focused on their constituencies, others succeed by specializing in areas that are quite closely related to their prior experiences or occupations. Prior service in a state legislature, for example, may be useful. That said, new members who fail to recognize the large differences between Congress and their home state will miss out on opportunities for success. Other prior jobs are often equally helpful. Expertise in areas such as banking, health care, and education, can all present crucial knowledge in formulating public policies in particular areas.



In one recent study, we found that veterans who volunteered after 9/11 and saw active duty were often quite effective as lawmakers in Congress.[1] Consider Representative Mike Gallagher (R-Wisconsin), for example, who entered Congress in 2017. He joined the U.S. Marine Corps on the day he graduated from college, was deployed in Iraq, and worked on intelligence and counter-terrorism teams.

As a newly elected Congressman, Gallagher focused much of his lawmaking attention on defense and intelligence related issues. For instance, he proposed a program for information sharing of data on members of terrorist organizations and one for rotational assignments in the Department of Homeland Security, both of which passed the House. His Sanctioning the Use of Civilians as Defenseless Shields Act became law in 2018.

In each case, Gallagher's legislative proposals were informed by his prior military and intelligence experiences, which he could draw upon in advocating for advancement of the legislation.

These successes led Gallagher to be among the most effective freshmen lawmakers in the 115th House of Representatives. Even when in the minority party in the 116th Congress, Gallagher continued to emphasize issues in his areas of expertise, again gaining support for his intelligence rotational assignment program.

[1] See the 2020 CEL Working Paper "Legislative Effectiveness of Veterans in the House of Representatives: The Increased Effectiveness of a New Post-9/11 Cohort," by Richard E. Hagner.

# F: Focus agenda on top priorities

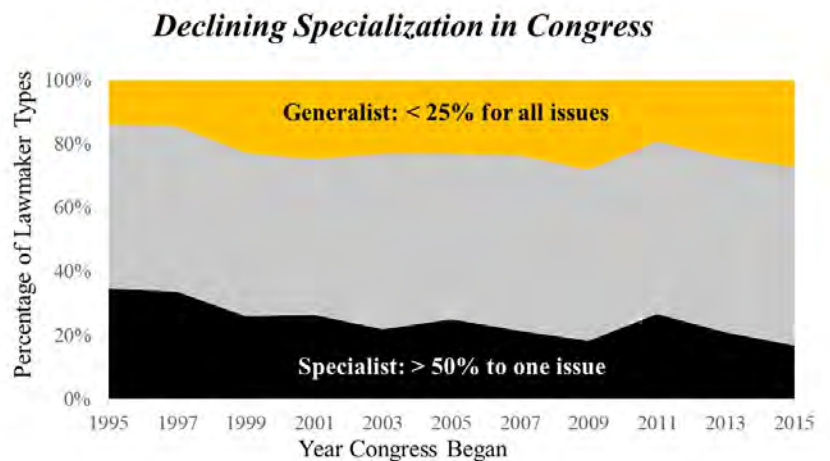
Being a newly elected member of Congress puts you in a position to represent many different points of view and constituent perspectives. Depending on the composition of one's district or state, expertise, and interests, freshmen might come to Congress with the intention of pursuing policy changes in many different areas, ranging from health to education to agriculture.

However, our research suggests that the most effective lawmakers are those who focus on just a few specific issue areas, rather than cultivating an extremely diverse issue portfolio. This does not mean putting forward just a few bills; rather, the benefit comes from clustering one's bills in areas that build upon district needs, expertise, or committee assignments.

More specifically, drawing on all bill introductions of all Representatives and Senators between 1973 - 2016, we identified the proportion of each legislator's bills that fell into their one main issue area.[1] We found that the most effective lawmakers struck a balance between being highly specialized while still engaging with a limited number of issue areas. In the Senate, the most effective lawmakers introduced approximately 50%

of their bills in one main issue area; and in the House, the most effective lawmakers introduced approximately 60% of their bills in one issue area. Yet, as this figure shows, less than 20% of members of Congress today achieve these levels of specialization. Instead, generalists – who do not dedicate even a quarter of their bill proposals to a single issue area – are on the rise. Unfortunately, this choice undermines their ability to gain further expertise through specialization and lowers their lawmaking effectiveness.

As one example of an effective lawmaker who follows this advice, Representative Raúl Grijalva (D-Arizona) dedicates a significant amount of legislative attention to issues regarding public lands. Our analysis indicates that he frequently strikes the optimal balance of specialization and diversity across legislative interests, giving him the best chances to advance his legislative agenda.



[1] See the 2020 CEL Working Paper "Foxes vs. Hedgehogs: Issue Specialization and Effective Lawmaking in Congress" by Craig Volden and Alan E. Wiseman

# I: Integrate committee assignments with agenda

In exploring the careers and legislative strategies of the most highly effective rank-and-file lawmakers in the U.S. House, another common theme that emerged is that they advanced policy agendas that were very closely connected to their committee assignments. That is, most of the bills that they introduced were substantively related to (and referred to) their committees. Hence, many of these Representatives were in a position of relative influence to see their bills advance through the legislative process, in comparison to what would occur if they introduced a bill that would be referred to a committee over which they had no direct influence. In some cases, we can even identify Representatives who clearly altered the substantive portfolio of the bills that they introduced after they changed their committee assignments, thereby ensuring that their legislative agendas were closely tied to their committee positions.



Observers are sometimes surprised to see Congresswoman Eleanor Holmes Norton (D-D.C.) among our lists of highly effective lawmakers. As a Delegate, she is not allowed to vote on the floor of the House. But she is allowed to serve on committees and to introduce legislation. In doing so, she has followed the advice found here nearly perfectly. First elected to Congress in 1990, Holmes Norton has retained a focus on her district, advancing numerous measures on behalf of the District of Columbia. This work aligns well with her assignment to the subcommittee on the Federal Workforce, the Post Office, and the District of Columbia.

Another significant part of Holmes Norton's legislative agenda is dedicated to her other assignment to the Committee on Transportation and Infrastructure. In this area, she has focused on highway funding, Amtrak, and museums, combining her district interests with her committee assignments once again.

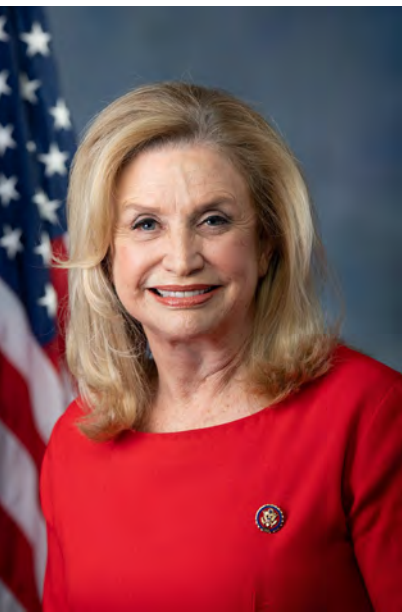
Our research offers support for the common advice that new lawmakers should seek seats on committees that engage with policy areas in which they hold (or seek to acquire) expertise. However, not every member receives the committee assignments she most desires. Those who are disappointed might be tempted to disengage with lawmaking or to continue down the path they had intended, had they been given their preferred assignment. Instead, tailoring your legislative portfolio to your assigned committees and subcommittees is likely to be a much more effective strategy to advance your legislative agenda.

# N: Never give up

Trying to successfully advance a legislative agenda can be dispiriting work. After all, as one of 435 Representatives or one of 100 Senators, you are competing for scarce time, resources, and attention among your colleagues, and the chamber as a whole. As a result, it should perhaps be no surprise that among the thousands of bills that are introduced in any two-year Congress, only about 4% of those bills (on average) will be signed into law. In light

of such stark statistics, it might be tempting to throw in the towel if you find that your earliest efforts at advancing your bills go nowhere. For newly elected legislators who seek to become effective lawmakers, however, we would suggest that you not become discouraged.

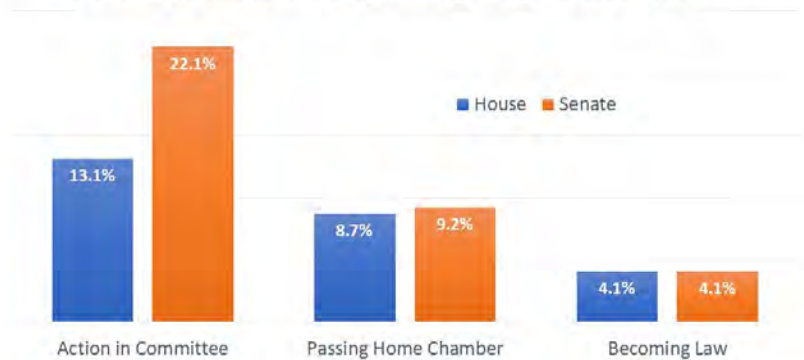
If there was ever a profession for which the adage “if at first you don’t succeed...try, try again” holds, lawmaking is it. Our research suggests that consistently attempting to advance your legislative goals, even following clear failure, can eventually pay off.



For example, consider Representative Carolyn Maloney (D-New York). In the 103rd Congress, she introduced legislation on war crimes, and despite the fact that the Democratic Party was the majority party in the House, her bill was bottled up in the Subcommittee on International Law, Immigration, and Refugees within the House Committee on the Judiciary. In the 104th Congress, the Democratic Party found itself in the minority. Yet, despite her disadvantageous position, and despite having seen her bill lie fallow in the previously Democratic Party-controlled House, Representative Maloney reintroduced her bill, built up support across party lines, helped navigate her War Crimes Disclosure Act through three different committees, and saw it pass the House, and then the Senate, and be signed into law by President Bill Clinton.

More broadly considered, we find that success in early lawmaking stages in one Congress begets further success in the next. Introductions lead to hearings and markups. Likewise, those Representatives whose bills made it out of committee only to die on the floor in a given Congress were more likely to have their bills pass and become law in future Congresses.[1] Simply stated, continue to push your agenda and build out your coalition in each Congress, even if you are less successful than you had hoped initially. Perseverance pays off.

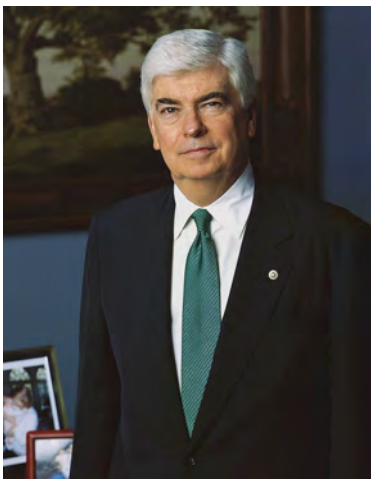
Percent of Bills Advancing through Legislative Stages



[1] Further information about these analyses can be found in the Appendices to Chapter 2 in Volden and Wiseman (2014).

# E: Excitement and passion help

One of the most crucial elements for becoming an effective lawmaker is deciding that you *want* to engage in lawmaking. As naïve as that statement might sound, it is not obvious that all Representatives or Senators want to spend their time engaging in the long (and sometimes very disappointing) grind that is associated with the lawmaking process. In any given two-year Congress, one can observe some Representatives who introduce scores of bills, as they try to advance their agendas; some Representatives only introduce a handful of bills; and a few Representatives introduce no bills at all. Similar patterns hold for the Senate, as well. Members of Congress need to decide how they want to spend their time, and where to devote their attention and energies; and for some Senators and Representatives that has not included dedicating much effort to lawmaking.



Make no mistake, however, the most effective lawmakers have to deliberately choose to devote their energies to the practice of lawmaking. In Robert Kaiser's *Act of Congress*, for example, Senator Chris Dodd (D-Connecticut) is very forthcoming about how he felt that he came to Congress to make laws, and he approached every aspect of his job through the lens of what could help him advance his agenda. [1] On the House side, at the public launch event for the Center for Effective Lawmaking in September 2017, Congressman Lamar Smith (R-Texas) was likewise explicit in stating that he approached his time as committee chair of the House Judiciary Committee with an eye

towards doing whatever he could to move as much legislation as possible through his committee (his own bills included), to make a positive impact on American public policy.

Given how many bills are introduced in each Congress and how little time there is for them to move forward, Representatives and Senators have to be committed to do what they can to keep their bills moving along, if they ever want to achieve legislative success. Passion for policymaking (at least in some areas of interest) and excitement about doing the necessary hard work of legislating can be contagious, motivating staff and coalition partners to strive to succeed as well.

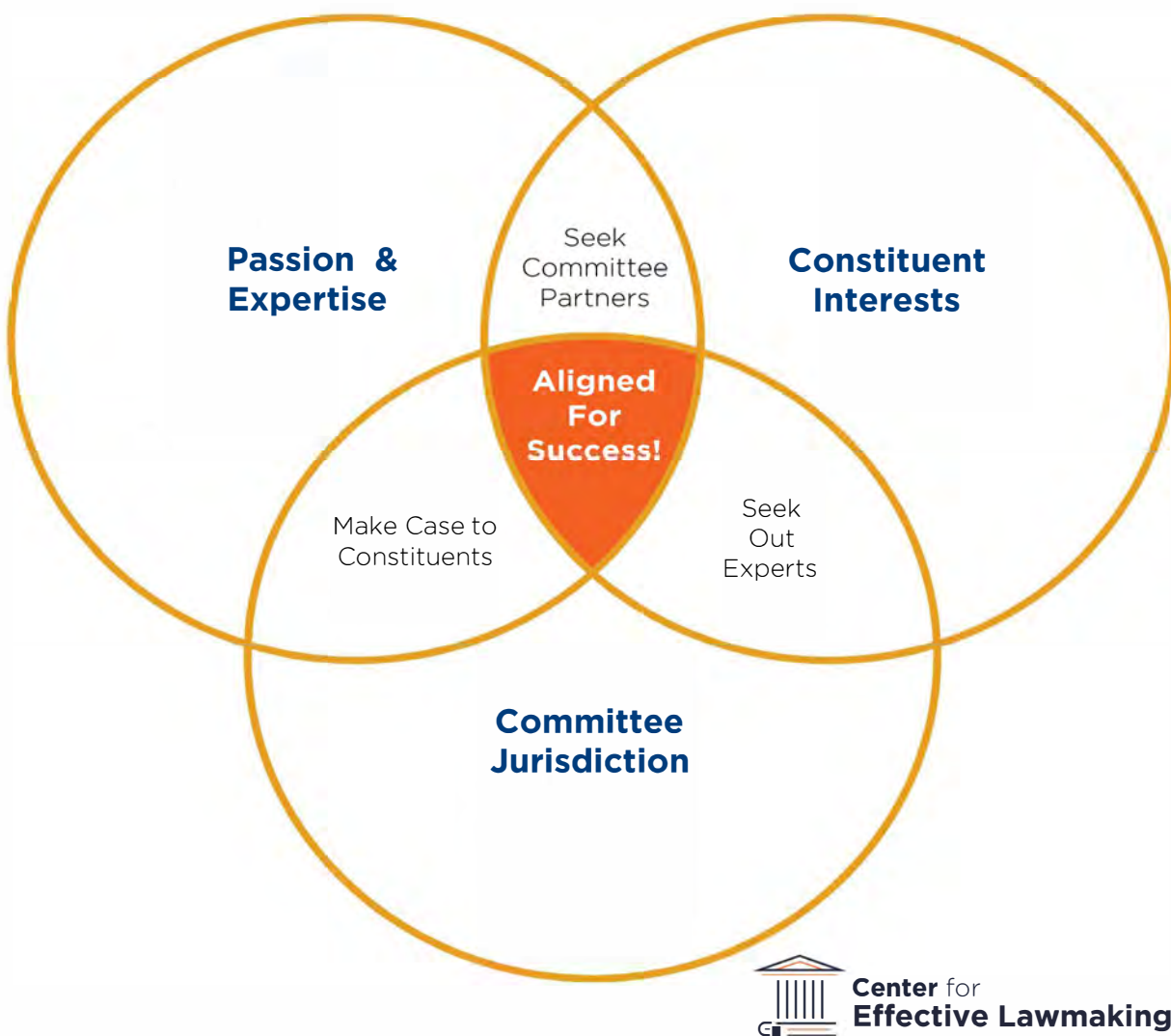


As you seek to **DEFINE** your lawmaking agenda, you may find it helpful to spend time with your legislative staff considering the issue areas on which your committee assignment and district interests align with your passion and expertise. Placing issues on the diagram on the next page is a helpful exercise.

[1] Kaiser, Robert. 2013. *An Act of Congress: How America's Essential Institution Works, and How it Doesn't*. New York: Vintage.



# How to Define Your Lawmaking Agenda



Which of your legislative priorities fall into all three of these circles? **Priorities that match your own passion/ expertise, your constituent interests, and your committee jurisdiction are aligned for success!** For all others, there's more work to do.

For example, in the upper middle, for a legislative priority that matches your expertise and constituent interests, but lies outside your committee jurisdiction, you should seek out partners from the relevant committee.

Place each of your priority areas on this figure to identify next steps and where to dedicate your efforts to achieve lawmaking success.

# ENGAGE with Your Lawmaking Partners

Once you have done the work to **DEFINE** your legislative agenda along with your staff, it is time to **ENGAGE** with numerous stakeholders to advance that agenda through the lawmaking process. Our **ENGAGE** mnemonic speaks to the various ways in which to interact with that broad set of partners.

Our research suggests that members of Congress are more likely to engage effectively with others if they are able to hire and retain highly **E**xperienced legislative staff. They also need to work early on to **N**egotiate with and cultivate the support of committee and subcommittee chairs, as well as floor leaders. Contrary to recent claims about the death of bipartisanship, our research also points to the clear benefits that follow from encouraging and **G**rowing bipartisan collaborations between legislators, and by being able to **A**rticulate shared goals among potential coalition partners. We are also able to demonstrate that there are clear benefits from **G**enerating caucus partnerships, specifically by joining an intraparty caucus, when in the minority party, to help advance one's legislative agenda. Finally, lawmakers can also be especially successful at advancing their agendas if they can proactively **E**xpand their coalitions to include partners who are outside of their own chamber, such as within the other chamber, or the White House, to help them advance their bills through the final steps and into law.

As with defining one's legislative agenda, engaging with lawmaking partners takes time and careful consideration. It is also not a linear one-time process. Continually check back in with committee and party leaders. Shore up and expand your coalition whenever possible. Even casual meetings and conversations can turn into opportunities to advance your legislative goals.



# E: Experienced legislative staff are essential

One of the first things that you need to do is to set up your congressional office – hiring staff in key positions. The roles of staff can be extremely diverse: from managing the front reception area, to maintaining and administering the district office, to communications, to helping advance your legislative agenda. While you can potentially choose from among a wide range of enthusiastic and devoted employees, including those who have served valuably on your campaign, our research suggests that you should be very deliberate in selecting who to bring into your office – especially if you want to be a highly effective lawmaker.

Looking at two decades of data on staff allocations, we found that there is a clear but subtle relationship between legislative staff experience and lawmaking effectiveness. Contrary to some advice that new members are given, having a large legislative staff does not necessarily contribute to a member’s lawmaking effectiveness. Nor is it the case that retaining the staff from the previous holder of your office contributes to lawmaking effectiveness in any meaningful way.

However, especially across your first few years in Congress, there is a significant benefit from having a legislative staff with prior Capitol Hill experience. This effect fades later in one’s legislative career as legislators learn the ins and out of lawmaking. That said, having at least one legislative staffer, typically as chief of staff or legislative director, with many years of experience on the Hill pays tremendous dividends for policymaking in both the short- and long-term.[1]

Senator Steve Daines (R-Montana) had learned the value of relying on experienced staff in his business career, expanding Proctor & Gamble’s business in Asia and RightNow Technologies in Montana. When he entered the House in 2013, he hired a legislative staff with extensive Capitol Hill experience. Their expertise helped him advance his legislative priorities in short order, advancing bills on irrigation, watershed protection, and hydropower development to passage in the House before his election to the Senate in 2014.

From a practical perspective then, our research suggests that freshmen should seek to hire and retain at least one highly experienced legislative staff member, who will be invaluable in advancing their agendas. Whoever you hire at first, make his or her subsequent retention a high priority. Invest in creating an environment in which your staff can thrive, achieving their own goals as well as those of you and your constituents.



[1] These analyses and findings are presented in: Crosson, Jesse M., Geoff Lorenz, Craig Volden, and Alan E. Wiseman. 2020. “How Experienced Legislative Staff Contribute to Effective Lawmaking.” In Drutman, Lee, Kevin Kosar, and Timothy LaPira (eds.) *Congress Overwhelmed: The Decline in Congressional Capacity and the Prospects for Reform*. Chicago: University of Chicago Press.

# N: Negotiate with committee and floor leaders

A pervasive finding that emerges from decades of studying the House and Senate is that committee chairs and subcommittee chairs are consistently among the most successful lawmakers in Congress after Congress. Whether advancing their own sponsored bills or proposals on behalf of their committees, their party, or their constituents, they have an enormous track record of success. They also have the power to stop the proposals of others early on.

While your own service as a committee chair may be well into the future, you must work now to coordinate your efforts with the relevant committee and subcommittee chairs, given your policy area of interest. Have your staff confer with key committee staff, and check in with your party's leadership. Emphasize the importance of your proposals for a broad array of legislators' interests, and make clear how your proposal advances the goals of the party and committee leaders.

As Representative Barney Frank (D-Massachusetts) told the Center for Effective Lawmaking in April 2019: "What happens is you'll find yourself, because of the committee system, whoever you are [if] you're in the House, you are in a particular constellation where there are certain issues that are within that jurisdiction and there's a power distribution. What I did during that time would be to figure out which of the issues in that constellation were the most important to me, and then set out to try to get them accomplished. And generally the way to do it would be to try to find other areas where a majority, more powerful members had a different set of priorities for me, and agree to support their priorities if they would include mine...but even at the very beginning, pick a couple of very high priority issues to you, morally valuable, important, and find a forum in which you can trade for them by supporting other people's priorities. Not that you're opposed to, but that you are either mildly in favor of or more."



Leaders will make clear the party and committee priorities for the term. If your proposals align with those priorities, explore that overlap further. Is it better to advance a stand-alone bill, or to work to incorporate your proposals as part of a larger legislative vehicle? Party and committee leaders will often suggest who to coordinate with or where to make changes.

Once you know the landscape, you will be best positioned to use your limited time and political capital wisely.

# G: Grow bipartisan cosponsorships

National media headlines suggest that we are living in one of the most polarized times in the history of American politics, where the Republican Party and Democratic Party have become increasingly divided and divisive in Congress. They may lead one to believe that legislators are making virtually no effort to seek common ground across party lines. In such an environment, a question that naturally emerges is: are there any clear payoffs for lawmaking effectiveness from trying to cultivate bipartisanship?

Our research suggests that the answer to this question is a resounding “yes!”

More specifically, data from the early 1970s through today demonstrate that legislators whose bills attract cosponsors from both parties are more successful overall than legislators whose bills are cosponsored mostly (or entirely) by members their own party. This is true even for legislators who attract the same overall number of cosponsors to their bills. In other words, bipartisanship pays off.

Senator Lisa Murkowski (R-Alaska) stands among the legislators who have consistently attracted bipartisan cosponsors to their legislation. Her ability to attract a wide range of cosponsors to her bills, regardless of party, has helped her advance her bills through the different stages of the lawmaking process. Doing so helps both when in the minority and the majority party. As one recent example of bipartisanship, Sen. Murkowski picked up the work left behind by former Senator Heidi Heitkamp (D-North Dakota) in advancing Savanna’s Act – offering guidance for law enforcement responses to reports of missing and murdered Native Americans – with the support of 29 cosponsors, including 19 Democrats. President Trump signed the bill into law in October of 2020.



Our research also demonstrates that one main way to attract cosponsors from the other party is to offer similar support yourself. Such reciprocity is rarely unrewarded in lawmaking. This finding may appear obvious for members of the minority party, whose proposals cannot move forward without some degree of support from across the aisle. Perhaps surprisingly, however, we find that such bipartisanship is beneficial for the lawmaking success of majority-party legislators as well.

Conversations with those who hold different views are more likely to point to issues that can be resolved early, avoiding unexpected roadblocks later in the lawmaking process. Legislators and staff who internalize bipartisan coalition-building as part of their overall legislative strategy are better able to move their bills forward in a timely manner. And doing so rarely requires a level of compromise that depletes the essence of your legislative goals too substantially.[1]

[1] See the 2020 CEL Working Paper “Are Bipartisan Lawmakers More Effective?” by Laurel Harbridge-Yong, Craig Volden, and Alan E. Wiseman.

# A: Articulate shared goals

The most effective lawmakers in Congress are consistently willing to seek coalition partners beyond their natural comfort zone: members who are ideologically different from themselves, interest groups and experts beyond Congress, and policymakers in the executive branch – even those with opposing views and interests. Whether working with party leaders, committee chairs and their staffs, or policymakers of either party, it is important to seek areas of common ground and make those shared goals clear.



This strategy has been fruitful for the most entrepreneurial and effective lawmakers. Representative Henry Waxman (D-California), a proud liberal and highly effective lawmaker across his long career in the House, explicitly stated that one of the reasons for his success was that he “[sought] out members of good will with whose views I disagree.”[1]

Likewise, he argued that his predecessor as the chair of the Health Subcommittee of the Energy and Commerce Committee (Paul Rogers, D-Florida) was such an effective lawmaker because he essentially ignored the party affiliations of his fellow subcommittee members when engaging in committee deliberations, making good faith efforts to incorporate a diverse range of feedback into the legislative vehicles that were reported from his subcommittee. Indeed, Rogers was so successful at advancing health related

agenda items – his own and those of others – that his colleagues dubbed him “Mr. Health.”

While some might fear that actively cultivating such bipartisan partnerships is not a viable path towards legislative success in more contemporary Congresses, effective lawmakers are often able to engage policy issues without being explicitly partisan. Even in the wake of contentious partisan battles over the Affordable Care Act, Congress has been able to move forward on a number of health-related issues.

Certainly, Congress acted quickly in 2020 in the face of the COVID-19 pandemic, but partnerships were formed on less high-profile health issues in the 116th Congress as well. Recent health-related lawmaking successes include asset-verification guidance to states in their Medicaid programs and new programs to address autism. What these examples have in common is a clearly defined problem to be addressed, and clearly articulated shared goals among coalition partners.[2]

[1] Quoted in: Waxman, Henry, and Joshua Green. 2009. *The Waxman Report: How Congress Really Works*. New York: Hachette Book Group (p. 220).

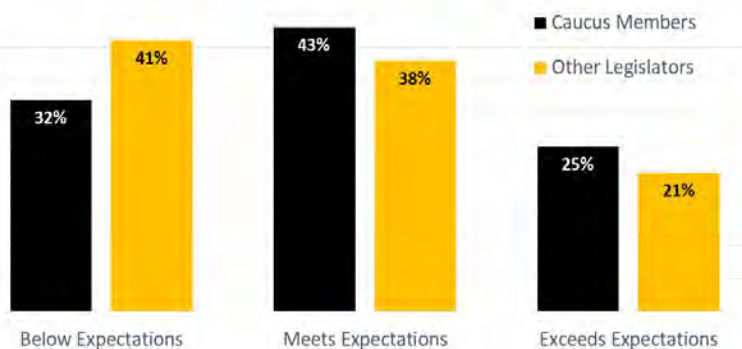
[2] Further information about this legislative strategy can be found in Volden and Wiseman (2014, pp. 182-188).

# G: Generate caucus partnerships

In the contemporary House, intra-party caucuses, such as the Main Street Partnership, the House Freedom Caucus, the New Democrat Coalition, and the Blue Dog Coalition, are visible forces in the chamber, with a significant majority of incoming members choosing to join one of these organizations. Given the pervasiveness of these caucuses in the U.S. House, one might wonder whether these intra-party factions can harness the collective energies of their members to achieve their policy goals? In other words, will you benefit, in advancing your legislative agenda, by joining an intra-party caucus? Alternatively, are you better served by working with your party's leaders or with legislators from across the aisle?

To engage with these questions, we looked at members of eight different intra-party caucuses in the U.S. House of Representatives since 1995 (the Blue Dog Coalition, the Progressive Caucus, the Tea Party Caucus, the New Democrat Coalition, the Republican Main Street Partnership, the Republican Study Committee, the Populist Caucus, and the House Freedom Caucus), exploring their relative lawmaking effectiveness before and after they joined a caucus. We find that Representatives do, in fact, become more successful at advancing their legislative agendas by joining an intra-party caucus.

Ideological Caucus Members Are More Effective



As the figure suggests, caucus members were more likely to be in our “Exceeds Expectations” category than are other representatives, and less likely to be “Below Expectations.” These categories are relative to benchmarks we give to each member of Congress based on their seniority, their membership in the majority or minority party, and their service as a committee or subcommittee chair.[1]

These overall patterns mask some variation in the conditions under which joining ideological caucuses holds the most value, however. In particular, we find no overall lawmaking cost or benefit from caucus membership among majority-party legislators.

Rather, Representatives who associate with an intra-party caucus when they are in the minority party are more successful at advancing their agendas than are other minority-party members.[2] Caucuses offer valuable resources and coalition-building opportunities that minority-party lawmakers might otherwise lack.

[1] All member scores and benchmarks are shown at the end of each Congress at <https://thelawmakers.org/find-representatives/>.

[2] See the 2018 CEL Working Paper “The Legislative Effectiveness of Party Faction Members in Congress” by Andrew Clarke, Craig Volden and Alan E. Wiseman.

# E: Expand your coalition beyond your own chamber

When focused on advancing a piece of legislation, it is easy to get caught up in navigating the politics of your own chamber, without considering what happens next. The most effective lawmakers play a longer game, however, identifying a well-positioned partner to advance their policy goals within the other chamber.

For example, during his years as a member of the U.S. House of Representatives, Mark Udall (D-Colorado) distinguished himself by placing among the top-ten most effective Democratic lawmakers between 2001 and 2008. Consistent with some of the lessons above, Congressman Udall cultivated a policy portfolio that closely mirrored his own personal interests and the needs of his constituents; but he also set himself apart from his fellow Representatives in that he actively cultivated partnerships with senior allies outside of the House.

One of Udall's earliest legislative successes, for example, was the passage of the James Peak Wilderness and Protection Area Act. The passage of this bill, he acknowledged, would not have been possible if he had not been able to secure the support of Senator Ben Nighthorse Campbell (R-Colorado), who, despite being a member of the opposite party, took the lead in navigating the bill's journey in the Senate.



Interestingly, Congressman Udall's cousin, Representative Tom Udall (D-New Mexico) employed a similar set of strategies during his years in the House, successfully advancing several bills through the House.

Upon being received in the Senate, they were subsequently incorporated into different legislative vehicles that had been introduced by his coalition partners in that chamber, and ultimately signed into law.[1]

As the experiences of Tom and Mark Udall suggest, cultivating coalition partners outside of the House might require a Representative to give up bill ownership, in order to see his or her policy goals advanced; but for those who are most interested in advancing a legislative agenda, such a strategy can yield huge dividends. Effective lawmakers play the long game.

**On the whole, to effectively ENGAGE with lawmaking partners, you must plan your coalitional strategy early on and adapt it to changing circumstances. Working with your staff on the checklist on the next page offers a good start.**

[1] Further information about the legislative strategies of Congressman Mark Udall and Congressman Tom Udall can be found in Volden and Wiseman (2014, pp. 188-191).





## Engage Partners for Lawmaking Success

Based on research from the Center for Effective Lawmaking

**Work with legislative staff to establish the following partnership plan. Then assign tasks and due dates.**

Bill title: \_\_\_\_\_

Who benefits from legislation (who shares our goals):

\_\_\_\_\_

Potential cosponsors to target: \_\_\_\_\_

\_\_\_\_\_

Potential caucus partners: \_\_\_\_\_

\_\_\_\_\_

House/Senate partners: \_\_\_\_\_

Likely committee: \_\_\_\_\_

Who on committee staff to approach: \_\_\_\_\_

When/how to approach committee/subcommittee chair:

\_\_\_\_\_

When/how to approach party leadership:

\_\_\_\_\_

# MOVING FORWARD



Congratulations again on the rare and unique opportunity to be a member of Congress, a leader of this great country.

Additionally, we commend you for your commitment to being an effective lawmaker. We know you will **DEFINE** yourself and your legislative agenda well. You will remember that district interests are crucial, expertise from prior experience useful, a focused agenda key, and integrated assignments helpful to advance your legislative agenda, to never give up, and to maintain your excitement and passion.

We also know that, as a member of the Congress, you will **ENGAGE** with your lawmaking partners. You will seek the assistance of experienced legislative staff, negotiate with committee and floor leaders, grow a bipartisan coalition, articulate shared goals, generate caucus partnerships, and expand your coalition beyond your own chamber. You recognize that these steps take effort and must be revisited time and again. And you are up for the challenge.

In short, you are poised for success. You are ready to be an effective lawmaker.

For more information, articles and research on effective lawmaking, we invite you to visit [www.thelawmakers.org](http://www.thelawmakers.org).

# ABOUT THE CEL

The Center for Effective Lawmaking (“CEL”) is a joint partnership between the Frank Batten School of Leadership and Public Policy at the University of Virginia and Vanderbilt University. It was created in 2017 to advance the generation, communication, and use of new knowledge about the effectiveness of individual lawmakers and legislative institutions in Congress. The Center grew out of the Legislative Effectiveness Project, based on the scholarship of Craig Volden and Alan E. Wiseman, as featured in the award-winning book *Legislative Effectiveness in the United States Congress: The Lawmakers*.

Today, the CEL is directed by Craig Volden of the University of Virginia and Alan E. Wiseman of Vanderbilt University. To advance the goals of the Center, Volden and Wiseman have undertaken numerous research projects, brought together a team of scholars across the country with a diverse portfolio of work about effective lawmaking, hosted an annual research conference, created materials to help lawmakers become more effective, and provided opportunities for public involvement through events with former and current legislators.



## Center for Effective Lawmaking

Support for the Center for Effective Lawmaking is provided by the College of Arts and Science at Vanderbilt University, the Frank Batten School of Leadership and Public Policy at the University of Virginia, the U.S. Democracy Program of the William and Flora Hewlett Foundation, The Democracy Fund, and individual donors.

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