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What We Talk About When We Talk About Congressional Gridlock

Continuing resolutions. Sequestration. Suspended requests for proposals. Delayed grant-making decisions. These have become common refrains in the federal science enterprise. Federal support for science boasts a long history, yet the appropriations process in Congress has ground nearly to a halt, resulting in perennial brinkmanship that leaves agencies, contractors, and academics unsure of near- and long-term funding. Beyond uncertainty in appropriations, many programs proceed without regular reauthorization as congressional gridlock touches all aspects of legislative work.

I have experienced these effects firsthand. As a graduate student, my training and research was funded in large part by federal appropriations, first on my advisor's NSF award, and later on my own EPA Science to Achieve Results (STAR) Fellowship. I was awarded the three-year EPA STAR in 2012, not long before the 2013 sequestration. I was relieved that EPA chose to fully fund the 2012 awards, but that came at the cost of applicants for 2013, who were left waiting a full year, after which a smaller cohort was chosen.

The uncertainty I experienced is likely common among GSA members who have applied for federal research funding in the past five years. Continuing resolutions (CRs) have become standard, and regular order for appropriations now seems a remote ideal. Sen. John McCain (R-AZ) has decried the debilitating impact CRs have on the ability of the military to plan and prepare—a similar argument can be made for the impact on the U.S. science enterprise. Grant-making and contracting take long-term planning, which is made nearly impossible by the current appropriations impasse.

The Government Accountability Office (2013) found that using CRs to delay appropriations decisions resulted in agencies delaying hiring or contracts during the CR period, rushing to spend funds in a compressed timeframe, performing additional work to manage within CR constraints, including issuing shorter term grants and contracts multiple times, and taking action to manage inefficiencies resulting from CRs, including shifting contract and grant cycles to later in the fiscal year to avoid repetitive work.

Congressional gridlock has been identified as a primary factor in Congress' abysmal public approval rating. But how do we measure legislative gridlock, and what are its causes?

Political scientist Sarah Binder of the Brookings Institution defines gridlock as an inability to compromise (Binder, 2014). She argues that congressional gridlock should not be measured as an absolute—how many laws Congress passes—but as a relative measure: how many major legislative agenda items are answered with new laws? She determined this relative measure by looking at the unsigned editorials of *The New York Times* to identify the salient legislative agenda items in a given Congress, and then counted how many of these items were answered with legislation signed into law. She found that the proportion of salient items in gridlock has trended upward, doubling from 30% in 1948 to 60% in 2012.

Congressional observers have identified several causes contributing to this gridlock. One of these is increasing political polarization, which has been exacerbated by several recent political developments. First, the power of lobbies has increased due to several recent Supreme Court decisions that expand the ability of corporations, unions, associations, and individuals to fund campaigns through Super PACs. Second, gerrymandering has redrawn many electoral districts to make them safe for either of the two major parties, allowing more extreme partisans to win election. Finally, polarization has been advanced by what is called the Nuclear Option—in which Senate rules requiring a 60-vote super majority for passage have been swept aside to allow for simple majority approval.

Binder (2014) points to one other possible cause of gridlock: Congress is faced with an increasing number of salient issues. She found that in addition to an increase in proportional gridlock, the absolute number of salient issues per Congress has increased in recent years. It's possible that the complexity of the modern world and the federal government's reach creates more issues than Congress can reasonably address in a single session under current rules.

In my experience, I have found that the Senate only has the bandwidth to work on one or two issues at a time. While in the House majority rule leads to passage of many bills, often by suspension of the rules, Senate rules favor lengthy debate. Early this Congress, topics related to my own portfolio, including an energy bill and an infrastructure package, were floated, but were set aside in favor of health care and, later, tax reform. Bills received legislative hearings with some regularity, but Senate debate rules and the need to vote on presidential nominees left little time on the Senate calendar for floor votes on individual bills. Instead, individual bills must pass through unanimous consent (though any senator can put an anonymous hold on such a request), or by appending them to a larger package of bills that receives a floor vote. Gridlock in the Senate this year can be partly attributed to the crowded legislative calendar, and even more so to the lack of compromise on the salient items that did come to the floor.

The upward trend in congressional gridlock portends danger for the future of federal science support. To bring stability, we must find ways to decrease political polarization and encourage compromise.

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